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Kerr

HISTORY

OF

ROBERT THE BRUCE,

KING OF SCOTS.

VOL. SECOND.

HISTORY

OF

SCOTLAND

DURING THE

REIGN OF ROBERT I.

SIRNAMED

THE BRUCE.

By ROBERT KERR, F. R. S. & F. A. S. Ed.

IN TWO VOLUMES.

VOLUME SECOND.

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HISTORY OF ROBERT I.

CHAPTER XIV.

From the Invasion of Ireland by Edward Bruce, 23d May 1315; to his Assumption of Supreme Power in Ulster in February 1316.

It is a singular trait in the history of human nature, that by how much the more rude and barbarous the manners, customs, and institutions may be of any nation, so much the more enthusiastically are they adhered to, and every attempt towards their alteration and improvement is sure to be resisted with the greater obstinacy and perseverance. This position was long and powerfully exemplified A. D. 1315.

A. D. 1315. in the pertinacity with which the original natives of Ireland resisted the introduction of the language, manners, laws, and institutions of their paramount English rulers; increased, perhaps, through the arrogant assumption of superiority by the English conquerors, always too much disposed to consider their Irish dependants as subjugated vassals, instead of fellow-subjects of the same sovereign, and citizens of the same state. It unaccountably happens, likewise, that the lower orders of a more civilized people, dwelling in small numbers among a more barbarous nation, are more apt to degenerate into the manners and customs of the more numerous natives, than to employ their influence and example for reclaiming the indigenous inhabitants to more civilized usages. Any attempt, however, to investigate the ancient institutions and customs of the Irish, known under the denomination of Tanistry and the Brehon laws, or to explain the differences between these and the laws and usages of Anglo-Norman feudalism, so long endeavoured to be established in Ireland, were quite irrelevant to the present object, and would lead into an extensive discussion which belongs exclusively to the history and antiquities of Ireland.

At the present period, the native Irish chiefs of the province of Ulster appear to have been extremely dissatisfied by what they deemed the oppressions of the English government. Indeed the whole native Irish population seems to have been in a state of extreme disorganization, occasioned by the weakness of Edwards character, and the factious disunion of the English and Anglo-Irish nobles. The natives had learnt the events of the long war which the Scots had successfully waged with England; they knew the weakness and disorganization of the government both of England and Ireland; and they deemed the opportunity favourable for reverting to their ancient independent anarchy; repressed, indeed, but not obliterated by the measure of feudalism which the English had been able to introduce among them. In this spirit of insurrectionary dissatisfaction, the chieftains of Ulster implored the King of Scots to aid them in throwing off the English yoke; and offered, in return for his assistance, to assume his gallant brother Edward as their sovereign *. A. D. 1315.

* Irish Annals, in Britannia, IV. 480—490.

A. D. 1315. In the account given by Barbour of the origin of the Scots invasion of Ireland, the commencement of negociations is attributed to Edward Bruce, now stiled Earl of Carrick; and the motives which he assigns, as having induced him to this measure, are singular and characteristic. "Edward, who was bolder than a lion, having no delight in peace, and thinking the bounds of Scotland too limited a stage for employing the bravery and talents of his brother and himself, conceived the chivalric idea of endeavouring to become king of Ireland *."

The wisdom and experience of the King of Scots might have led him to foresee, that to expel the English from England, to unite the discordant factions of the Irish chiefs under a regular government, and to reconcile them to the dominion of a stranger, was an extremely difficult and dangerous enterprise, if not utterly impracticable for his recent and scarcely confirmed power and narrow resources. Yet, however unlikely to succeed in the perilous attempt, the offer of a crown seems to have inflamed the ambition of his brother Ed-

* Barbour, XIV. 1—7.

ward; to whom he was under such import- ant obligations, that it might have appeared ungenerous, perhaps not perfectly safe for the repose of Scotland, to have declined co-operating in the proposal for the advancement of Edward to the crown of Ireland. It might even be conceived that the invasion of Ireland would afford a favourable opportunity for dividing and distracting the forces and councils, and for multiplying the perplexities of the English government; and it certainly was a wise measure to endeavour to transfer the miseries of war from Scotland into the country of the enemy. A. D. 1315.

To the ardent heroism of Edward Bruce, the difficulties and dangers which opposed his views of acquiring the sovereignty of Ireland, would appear less formidable than those which had been encountered and overcome by his illustrious brother in advancing and asserting his claim to the throne of Scotland. It is an easy matter in after times, when contemplating the failure of great and hazardous enterprises, to demonstrate plausibly that they could not have succeeded. Yet many of the most important alterations which have occurred in the distribution of European dominion, have

A. D. 1315. not left the remembrance of greater probability of successful issue, at their commencement, than this attempt to wrest the dominion of Ireland from the crown of England: And it may be said to have ultimately failed, more from the rash and imprudent mode of executing the enterprise, than from any want of wisdom in the design.

Whatever may have been the motives which influenced the undertaking of this bold enterprise, it was probably countenanced by the Scots parliament at Air; although we do not now possess any record of that circumstance:
May 25. For, within less than a month after the date of the act for settling the succession to the crown, Edward Bruce had completed his military preparations; and, embarking from Air in three hundred small vessels, he landed with a body of six thousand men in the north of Ireland on the 25th of May. In the annals of Ireland, appended to the Britannia of Camden, he is said to have disembarked at Clondowne near Carrickfergus *. Barbour names the place of landing Wokings-frith; perhaps the ancient name of Belfast loch or Carrickfergus bay, or of some creek or haven in that

* Irish An. ub. supr.

neighbourhood; and the landing seems to have been made without opposition *. A. D. 1315. 25 May.

The principal Scots leaders who accompanied Edward on this expedition, were Thomas Randolph, earl of Moray; Sir Philip Mowbray, the late governor of Stirling castle for the English, who had attached himself to the Scots cause after the surrender of that fortress; Sir John Soulis; Sir Fergus of Ardrossan; Ramsay of Ochterhouse †; Sir Alan Stewart; Sir Robert Boyd ‡; Sir John Stewart §; John de Monteith, John de Bosco, John Bisset, and John Campbell ‖: The last perhaps the son of Sir Nigel Campbell of Lochow; and, consequently, the nephew of the King of Scots ¶.

The history of this invasion is exceedingly obscure; as its various incidents have been very imperfectly and confusedly recorded by contemporary writers, who have paid no attention to chronological order, and have almost constantly neglected to mention the dates of events. Barbour has left a minute account

* Barbour, XIV. 33—35. † Id. ib. 23- -31.

‡ Id. ib. 404. § Id. ib. 388.

‖ Irish An. ub. supr. ¶ A. of S. II. 69.

A. D. 1315. 25 May. of many of the circumstances, which he seems to have collected from the oral information of some of the Scots who escaped from the unfortunate catastrophe of the expedition. But he obviously makes frequent mistakes respecting the names of places and persons, and pays no attention to dates. He every where substitutes the name of Richard de Clare, instead of Richard de Burgh, as Earl of Ulster; and, by a double mistake, uniformly represents the Earl of Ulster as deputy or Lord Lieutenant of Ireland, and as commanding the several armies which were opposed to the Scots invaders. In the Annals of Ireland, already mentioned, several of the events of this invasion are related in a most perplexed and unsatisfactory manner, regardless of dates, and in no regular order of chronology. Yet these are the principal sources of information, and contain many curious and characteristic circumstances, and have therefore been circumspectly employed, to reconcile their apparent differences; and to ascertain dates where these could be supplied.

After landing on the coast, all the ships or vessels which had transported the armament were immediately sent back to Scotland*.

* Barb. XIV. 23—35.

This measure, not without example in history, may have proceeded from a judicious consideration of the great naval superiority of the English; and as Edward meant to penetrate into the interior, the vessels could not be of any service in his march. Besides, he might consider their absence as reducing his troops to a dependence upon their own valour and a strict submission to discipline and command, as their only means of safety. A. D. 1315. 25 May.

Immediately after landing, the Irish chiefs of Ulster, according to one account, repaired to the Scots camp, pledged their fidelity to Edward Bruce, and gave hostages in security of their obedience. O Nial of Tirowen, a principal Irish chieftain, who pretended to be king of Ulster, and heir of the sovereignty of all Ireland, is the only one of the chiefs named in history who joined at the first; and is said to have been a principal adherent and adviser of Bruce during the whole war *. Barbour appears to postpone this junction of the Irish chiefs to an after period; and says that, immediately upon landing, the Scots began their march to Carrickfergus in two battles, or divisions; the van being under the

* Lib. Clonmacn. ap. Lel. History of Irel. I. 266. 268.

A. D. 1315. May. command of the Earl of Moray, while Edward led the rear, or main body, in person. In the course of this march, the Scots were opposed by a considerable body of Anglo-Irish troops, commanded by Mandeville, Bisset, and Logan, three principal lords of that part of Ireland, probably English settlers, and chief military vassals of the Earl of Ulster. Their force is said to have consisted of near twenty thousand men, including the native Irish under their command; whom Barbour is pleased to term the savages *.

Undismayed by the great superiority of numbers, the Scots marched directly against the tumultuary army of their enemies, whom they easily defeated, with very little loss on their own side; and immediately afterwards took possession of the town of Carrickfergus, and ineffectually besieged the castle †. For the attack of this fortress, which seems to have been of considerable size and strength, the Scots do not appear to have been provided with the engines requisite for the attack of fortified places, which were then chiefly reduced by blockade and famine. At this period, according to Barbour, Bruce was

* Barb. XIV. 46—51. † Id. ib. 53—90.

first joined by ten or twelve chiefs of the Ulster Irish, whom he denominates kings, and who swore fealty to him as supreme king of Ireland *. A. D. 1315. May.

Several of the native chiefs of Ulster still remained faithful to the English interest, or rather to the Earl of Ulster their feudal lord. Two of these, named M'Gullane and M'Kartane, with a body of about two thousand spearmen and an equal number of archers, took post in a strong pass called Innermallane, by which they intercepted the communication of the Scots at Carrickfergus with the interior, and prevented them from receiving supplies of provisions. Confiding in the strength of their post, which was among the narrowest and most difficultly assailable of all the Irish fastnesses, the Irish had there collected all the cattle of the surrounding country, as to a place of approved safety; and seemed resolved to hem in and distress the invaders. But, despising their enemies and making light of the reputed strength of the fastness, the Scots boldly advanced to the attack, and carried the pass at the first onset, defeating the Irish with great slaughter, and acquiring a

* Barb. XIV. 97—103.

A. D. 1315. June.

sufficient number of cattle to supply their whole army for a considerable time*.

After this easy and useful victory, Edward Bruce was joined by a number of those Irish chiefs who had formerly engaged their fealty, and had promised assistance; and, finding the capture of Carrickfergus castle an enterprise beyond his strength, he marched into the interior of Ulster, in conjunction with his Irish allies, where he ravaged the possessions of the English settlers, and their Irish adherents, with merciless severity. It is difficult to appreciate the policy of this conduct, in laying waste a country which he came to subdue, and by which he prevented the future subsistence of his own army. It may have been intended to render the breach between his Irish adherents and the English settlers irreparable; perhaps the barbarity of the devastations proceeded principally from the Irish who followed his standards, for such seems uniformly to have been their mode of warfare, and he may not have been able to controul their licentious and barbarous ravages. In the progress of this destructive expedition, the Scots stormed, plundered, and burnt the towns of Dundalk

* Barb. XIV. 105—132.

and Atherdee, and several other places of less note. In Atherdee they are said to have burnt down the church while full of people *. A. D. 1315. 29 June.

To repel this cruel invasion, Richard de Burgh, Earl of Ulster, assembled his military vassals, the English settlers in Ulster whose possessions had been laid waste, and who had fled into Connaught to avoid the fury of the Scots and their Irish adherents: And, in addition to his own immediate vassals, the earl was reinforced by some of the Irish chiefs of Connaught, who had not joined in the confederation to throw off the English yoke. At this time the Lord Edmond Butler was justiciary or Lieutenant of Ireland; and, in pursuance of his duty, he assembled the military force of Leinster, with which he marched into the north, and offered his assistance to the earl of Ulster for repelling the Scots invaders. Confident in the strength of the army which he had assembled, and in his own judgment and conduct, perhaps jealous of the presence and interference of the delegate of the sovereign in his extensive and almost independent territories, where he owned no superior except the King of England, Ulster haughtily 22 July.

* Irish. An. ub. supr.

A. D. 1315. July or Aug. desired the deputy to retire, arrogantly declaring that he and his own vassals were sufficient to overcome the Scots *.

After the retreat of Butler, the earl of Ulster marched with his ill assorted army, which he seems to have been very unfit to command, through Meath into his own hereditary province of Ulster; in which he retaliated the barbarities which had been committed upon the estates of his vassals and adherents, by spreading desolation throughout the possessions of the native Irish who had joined Bruce †.

According to a modern historian of Ireland, the chief command among the Irish of Connaught was, about this period, contested between Felim O Connor and his kinsman Roderick, who had usurped the chieftainship during the absence of Felim, the hereditary heir of the principality or kingdom. By the assistance of the English, Felim defeated and slew his rival Roderick, and recovered the principality. But Felim almost immediately afterwards united himself to the party of Bruce; and was followed in his defection from the English government by O Brian of Thomond,

* Lib. Clonmacn. ap. Lel. † Irish An. ub. supr.

and other Irish chieftains of Munster and Meath. The Irish clergy seem to have greatly favoured the Scots cause, probably because the best livings and all the dignities of the church were monopolised by the English. A considerable number, even of the discontented English settlers, joined the party of Bruce. In this state of confusion and anarchy, Felim O Connor surprised and slew Stephen of Exeter, Milo de Cogan, William Prendergast, John Stanton, and several other Anglo-Irish knights, in various predatory incursions into the English settlements. But a considerable force was dispatched against him, under the command of William de Burgh, brother to the earl of Ulster, and Richard de Bermingham. An action took place near Athenree, in which Felim O Connor was defeated and slain, with about eight thousand of his followers *.

A. D. 1315. July or Aug.

With regard to chronology in the history of this war, we are left entirely in the dark, and must therefore relate the incidents in a very desultory and unsatisfactory manner. Of the events which occurred about this time, Barbour gives a long but confused account, which it is quite impossible to reduce into a

* Lel. Hist. of Irel. I. 269—272.

A. D. 1315. July or Aug. satisfactorily connected and chronological narrative: Yet it seems proper and necessary to give the substance of his relation, so far corrected, explained, and arranged, as possible; even with the almost certain hazard of repeating the same incidents under different denominations of persons and places, and of magnifying skirmishes, rencounters, and surprisals into actions of importance. Leaving, therefore, for the present, the more important and better ascertained operations of the war, our attention must be confined for some time to a series of actions which are related by Barbour in a rather desultory manner, and of which the times and places are either unascertainable, or exceedingly ill defined; and some of which have probably been already noticed from other authorities.

Soon after the victory at Innermallane, formerly mentioned, and while Bruce lay with his small army at Kilsagart, he received intelligence of a considerable assemblage of troops in the English interest at Dundalk. According to Barbour, these troops were commanded by the earl of Ulster; under whom were two chiefs, named the Breman and the Wodoune, probably native Irish, and Sir Maurice Fitz-Thomas, an Anglo-Irish baron. He

likewise mentions the lord Butler and the earls of Desmond and Kildare as present in this army *. But we have already seen that Ulster had peremptorily refused the assistance of the deputy; and it is probable that the earls of Desmond and Kildare served in his troops, and had returned along with him into the south. A. D. 1315. July or Aug.

Edward Bruce lost no time in marching towards the enemy, to whom he immediately offered battle, perhaps by means of a herald in the chivalric custom of the times; but Ulster declined the combat as the day was too far spent. Early next morning, Ulster detached fifty chosen men to observe the numbers and disposition of the Scots army; which they reported to have a warlike appearance, but, as greatly inferior in numbers to their own army, might in their opinion be easily defeated. Ulster, according to this advice, drew up his army in order of battle, and immediately advanced to fight the Scots, whom he found completely marshalled for his reception. An obstinate and sanguinary engagement immediately ensued, which was keenly contested for some time on both sides,

* Barb. XIV. 133--146.

A. D. 1315. July or Aug. with doubtful success. By means of an extremely violent effort of the Scots, the order of the English was at length broken, and the troops of Ulster were constrained to fly for refuge into Dundalk. Following up their success, without allowing any respite to their enemies for rallying, the victors forced an entrance into the town along with the vanquished, and made prodigious slaughter in the streets, whence the English nobles escaped with great difficulty. Dundalk was given up to pillage; and having been used as a depot for the supply of the English army, great stores of provisions were there acquired by the Scots; particularly so large a quantity of wine, that a very careful and moderate distribution of it among the victorious troops was indispensibly necessary *.

This exploit certainly bears a strong resemblance, in several of its incidents, to a subsequent rout of the English at Conyers, to be afterwards related; and it has been already stated, upon other authority, that Dundalk had been sacked and destroyed by the Scots about the end of June. In collecting oral information respecting this war from the survi-

* Barb. XIV. 228—235.

vors, many years afterwards, Barbour may have noted the particulars of different and somewhat discordant accounts of the same events from various relators, themselves far from accurate in the long distant recollection of dates, places, and circumstances: And he may have afterwards worked up these into his metrical history as separate actions, without being able sufficiently to distinguish their identity or incongruity. Yet, with all its imperfections, the narrative of Barbour is the best now remaining.

A. D. 1315. July or Aug.

After halting for some days in Dundalk to refresh his troops, Edward Bruce resumed his march towards the south in pursuit of the vanquished enemy; his van still led by the earl of Moray. In the course of this march, the Scots army was always skirted on one of its flanks by large bodies of the enemy, who carefully secured themselves from attack, by keeping to a range of steep hills at some considerable distance. From these they frequently assailed the flanks and foraging parties of the Scots, and always retreated to the hills and bogs when pursued or pressed upon by the vanguard under Moray, which seems to have been composed of the best mounted cavalry.

A. D. 1315. July or Aug. At length, the Scots army approached a great forest, named Kilrose, under the protection of which the Anglo-Irish had collected a fresh army, consisting of the fugitives from Dundalk, reinforced by levies from other parts of Ireland. Barbour asserts that this new army was marshalled in five divisions of ten thousand men each, amounting to the utterly improbable number of fifty thousand men in all; while the Scots, including their Irish auxiliaries, did not exceed ten thousand *.

As was his usual undaunted custom, often bordering on precipitancy, Edward entirely disregarded the vast superiority of the enemy in numbers. Immediately on arriving within reach of the Anglo-Irish, he converted his line of march into the order of battle, and led on his troops to the attack. After a short but furious contest, he constrained the enemy to fly; but, considering their immense superiority of number, and the nature of the field of battle, amid the fastnesses of an extensive forest, he prudently declined any lengthened pursuit. In this engagement the Scots fought on foot, as better adapted to the nature of the ground; while the Anglo-Irish were mostly

* Barb. XIV. 241—280.

mounted, and some of them completely covered with defensive iron armour; knights armed cap-a-pie, or what are now called cuirassiers. For some days after this engagement, the Scots remained encamped in the forest, to recover from the hardships of their late long march and subsequent battle, and to take care of their wounded companions *. A. D. 1315. July or Aug.

From this encampment in the forest of Kilrose, Edward Bruce was enticed by the suggestions of one of the Irish chiefs who had sworn allegiance to him, and persuaded to march to a place called Endrossy, under promise of being plentifully supplied with provisions. In the march to that place the Scots seem to have crossed a large river, perhaps the Ban, and were conducted to pleasant quarters in a low plain on the banks of a rivulet. At this place the Irish chief quitted the Scots camp, under pretence that his presence was necessary for expediting the supply of provisions which he had promised; although the whole cattle of the country, for two days journey around, had been previously removed by his own directions. The object of this stratagem was to have betrayed the Scots, by inveig-

* Barb. XIV. 288—290.

A. D. 1315. July or Aug. ling them into a narrow space of country, hemmed in by difficultly fordable rivers, and purposely stripped of all resources for subsistence. Barbour adds that the Irish had devised a farther stratagem for destroying the Scots; having carefully dammed up the outlet of a lake at some distance, which they suddenly let off during the night into the rivulet which intersected the low meadow where the Scots were encamped; intending, by this device, to drown those whom they had previously doomed to perish by famine*.

The latter part of this story may have originated from a heavy flood arising during the night, in consequence of the lake being swelled by rains in distant hills, while none fell in the low country; a phenomenon quite common in lakes which are supplied from mountainous countries; but which the Scots may have attributed to the contrivance of the Irish. The Scots troops extricated themselves from the perils of this sudden inundation with some difficulty and danger, but with little or no loss. Yet they still remained in a situation of imminent hazard; hemmed in between two considerable rivers, perhaps rendered unforda-

* Barb. XIV. 329—366.

ble by the late flood, and which they had no means of crossing, while provisions began to turn scarce. They were relieved from this perilous situation by one of those incidents of good fortune which sometimes extricate rash and inconsiderate commanders from almost inevitable destruction. One Thomas Dun or Downe, a Scots freebooter, was then cruising on the coast of Ireland, where he had made several prizes; and hearing of the dangerous situation of the Scots army at Endrossy, he sailed up the river Ban, over which he conveyed his countrymen to a district where they were able to procure provisions and forage, and where their operations in the field were not liable to be impeded by any large river *.

A. D. 1315. July or Aug.

It has been already observed that the foregoing incidents of this war, chiefly dependant upon the authority of Barbour, require the confirmation of authentic record and chronological illustration. Perhaps they only relate to skirmishes and affairs of posts between hostile predatory detachments, during the desolating progress of Edward Bruce through the

* Barb. XIV. 366—384.

A. D. 1315. July or Aug. province of Ulster. Some of the following incidents are more regularly authenticated, though several of them are similarly circumstanced with those which precede. Whether the earl of Ulster actually encountered with the Scots on any of the occasions already mentioned is rather problematical; and Barbour may have been led into the mistake from the circumstance of Richard de Clare, of the Fitz-Gerald family, having been engaged in the war *, as he uniformly gives the name of Clare to the earl of Ulster. However this may have been, after the haughty rejection of the proffered aid of lord Butler in July, Ulster spent some time in completing his levies, and then drew near to the Scots, in the confident hope of severely retaliating upon them and their Irish adherents for the devastation of his territories. Some considerable time, however, must have been consumed by both of these hostile armies in mutually destroying the possessions belonging to each, in endeavouring to circumvent each other in regard to advantageous position, and in collecting and securing sufficient supplies of provisions; as the two armies do not seem to have ap-

* Lel. Hist. of Irel. I. 263.

proached near enough for any direct hostility before the month of September. A. D. 1315.

On the approach of the Anglo-Irish army, the Scots feigned a panic, and made a rapid retrograde movement to the neighbourhood of Conyers, where they encamped in strong ground*. At this period the army of Ulster was encamped within the shelter of a great forest about ten or twelve miles from Conyers, and received daily snpplies of provisions from that place, under the convoy of a strong escort which had to pass within a few miles of the Scots camp. Having procured accurate intelligence of these circumstances, the earl of Moray concerted a plan for cutting off the escort on its march from Conyers. For this purpose, accompanied by Sir Philip Mowbray, Sir John and Sir Alan Stewart, and Sir Robert Boyd, he took post in ambush, on the rout of the Anglo-Irish convoy, with a chosen band of three hundred horse. His measures were so judiciously concerted, and executed with such secrecy, precision, and promptitude, that the escort was completely surprised; the whole convoy was captured; and Sept.

* Irish An. ub. supr.

A. D. 1315. Sept.

not a single person escaped to apprise the enemy of the disaster*.

Moray learnt from his prisoners, that the earl of Ulster lay in careless security, confiding in his superior force, and the strength of his position; and that numbers of his troops used to meet the convoy every evening without arms. Founding on this intelligence, he devised a farther stratagem for beating up the quarters of the enemy, which he executed in the following manner. He disguised his own troops in the habiliments of his prisoners, and for more effectual deception, he substituted their penons or military ensigns in the place of his own. In this guise, after having sent off the captured convoy and his prisoners to the Scots camp, he marched directly for the English camp, in the usual road of their convoy of victuallers, and arrived in its close neighbourhood about the evening. Great numbers of the Anglo-Irish issued from the camp in a tumultuary manner, to secure a supply from the supposed convoy; and, when these had approached very near, the Scots made a sudden and furious charge among them, and slew about a thousand men, before they

* Barb. XIV. 388—416.

had time to recover from the surprise and to take refuge in their camp. After the successful accomplishment of this double enterprise, Moray returned in safety to the Scots camp*. A. D. 1315. Sept.

Immediately after this disaster, the army of Ulster removed from the forest and took up a new encampment in the immediate vicinity of Conyers, in order to secure a regular supply of provisions, without farther hazard from the enterprises of the Scots. Soon afterwards, some spies who had been sent to examine the situation of the Scots army were made prisoners; and it was learnt from them, that Ulster had summoned the whole military force of the surrounding country to join him that evening, as he had resolved to attack the Scots camp on the day following. Notwithstanding this intelligence, as if braving the utmost efforts of the English power, Edward Bruce removed his encampment on the same evening, to the close neighbourhood of Conyers, and the camp of Ulster. From this new position, Moray placed himself in ambush near the hostile camp, with about an hundred horse, and fell unexpectedly upon a considerable detachment of the enemy, whom he de-

* Barb. XIV. 417—452.

A. D. 1315. Sept. feated with great slaughter, and with hardly any loss on his own side *.

Barbour asserts that the army of Ulster at this time more than five times out-numbered the forces of Bruce; and, in his enumeration of the hostile leaders, he persists in naming the lords Butler, Desmond, and Kildare. He likewise names among the leaders, Brynrame, Wedoun, Fitz-Waryne, Sir Paschal de Florentyne, whom he describes as a celebrated knight from Lombardy; the Mandevilles, Bissets, and Logans: to these he adds the Savages and Sir Nichol of Kylkenane.

> ———" Sawages als, and yheit † was ane
> " Hat ‡ Schyr Nycholl of Kylkenane." §

The person named Brynrame, in this enumeration of the leaders, seems the same person formerly mentioned under the name of Breman. By the Savages, a modern author is disposed to understand a powerful family of that name in Ireland ‖; but Barbour seems

* Barb. XIV. 456—554. † Yet. ‡ Named.

§ Id. ib. 521—522. ‖ Pinkerton, in a note to his Ed. of Barbour.

to indicate the native Irish serving under Ulster. A. D. 1315. 10 Sept.

Having received certain intelligence that the earl of Ulster had determined to assail his camp, and was in full march for that purpose, Edward Bruce adopted a stratagem on the suggestion of Sir Philip Mowbray, which decoyed the Anglo-Irish army to their complete discomfiture. The banners and penons of the Scots army were left flying in their camp, to deceive their enemies into a belief that the troops of Bruce were drawn up in the rear of the huts and baggage cars, by which all the avenues to the camp were guarded and encumbered; and a part of the Irish allies of the Scots were formed in array in the rear, to complete the deception. The army of Ulster, without using any precautions to ascertain the actual position of their enemies, marched directly to the attack of the supposed Scots army, in full confidence of an easy victory, and became unavoidably entangled and disordered among the huts and carriages; many of them even quitting their ranks for plunder, under the conviction that the Scots had actually fled. But Bruce had led his troops by a circuitous rout from the rear of his own encampment, so as

A. D. 1315. 10 Sept. to gain, unperceived, the flank and rear of the Anglo-Irish; and, then rushed unexpectedly upon them with the utmost celerity and violence. Surprised and panic struck by this sudden and violent attack, the army of Ulster was thrown into inextricable confusion and irremediable dismay; and was completely routed and driven off the field with great slaughter, almost without resistance. Numbers of the fugitives fled for refuge to Conyers; but were so eagerly pursued by the earl of Moray and his cavalry, that the pursuers entered the town pell-mell with the rear of the vanquished, and multitudes were slaughtered in the streets*.

All that is said of this engagement in the Irsh annals, besides its date, is that the Scots fled before the army of Ulster, who pursued them to Branne, and then retired upon Conyers: upon which, Bruce passed the river secretly, and defeated Ulster near Conyers, on the 10th of September. Sir John Staunton, Roger Holiwood, and others were killed, George Roche was wounded, and lord William Burk was taken prisoner. One party of the fugitives, under lord Poer de Dunville,

* Barb. XV. 70—74.

made good their retreat from this defeat, to the castle of Carrickfergus, which still held out for the English, and checked the progress of the Scots for some considerable time *. A. D. 1316. 10 Sept.

The earl of Ulster fled from Conyers into the south of Ireland, so humbled by his defeat, that he did not attempt for a long while to make head against the Scots †. Indeed he does not appear to have ever afterwards had any command in the field. His whole conduct in this war appears to have been a compound of arrogant self-sufficiency, and consumate ignorance of military affairs. He first refused the assistance of the lieutenant of Ireland, with overweening confidence in his own power and talents, despising the inferior numbers of the enemy; and he now suffered a shameful defeat, through entire disregard of every rule and precaution of war.

In this battle, Sir John Stewart, a Scots knight of great prowess and distinguished bravery, was run through the body by a spear. But he recovered from the effects of this dangerous wound, after having been long under cure at Montpellier in the south of France ‡:

* Irish An. ub. supr. † Barb. XV. 76—79.

‡ Id. ib.

A. D. 1315. 10 Sept. so early was that place famed for medical skill and a salubrious climate. After the battle, the Scots took up their quarters for sometime at Conyers, where they found vast stores of provisions of all kinds; all of which were ordered to be removed to Carrickfergus; and Bruce soon afterwards unavailingly resumed the siege of that castle*.

In consequence of the signal defeat of Ulster at Conyers, the Irish inhabitants of Connaught and Meath revolted and burnt the castles of Athlone, Rawdon, and some others, besides doing vast mischief on the possessions of the English in these districts †.

Within a few days after the brilliant issue of the battle of Conyers, the earl of Moray repaired to Scotland, in order to procure reinforcements to the army of Edward Bruce, now necessarily reduced by the hardships and casualties of four months hard service. On this occasion, he is said to have taken four ships along with him, laden with the plunder of Ireland, one of which was lost during the voyage. He likewise carried along with him into Scotland, William Burke or de Burgh, probably a son or brother of the earl of Ul-

* Irish An. ub. supr. † Id.

ster, who had been made prisoner in the preceding battle *. A. D. 1315.

During the absence of the earl of Moray in Scotland, Edward Bruce ineffectually pressed the blockade of Carrickfergus castle; and was again under the necessity of abandoning the enterprise, after a resistance of nearly three months; compelled probably, as upon a former occasion, to take the field in quest of provisions, as his small and diminished force did not admit of division, so as at the same time to continue the blockade, and to afford a sufficient detachment for adventuring far into the country in quest of supplies. About this time, a party of mariners, from some of the sea-ports in England, landed unobserved near the cantonments of the Scots, and carried off a considerable quantity of tents and baggage, after killing about forty of Bruces troops. These English mariners are said to have gone afterwards to Carrickfergus castle, which they probably revictualled and reinforced; and the garrison is said, in consequence of this aid, to have been enabled to skirmish with the Scots, of whom a considerable number were killed †. 6 Dec.

* Irish An. ub. supr. † Id.

A. D. 1315. 6 Dec. Soon afterwards, Edward Bruce broke up from before Carrickfergus, and was rejoined by the earl of Moray, with a reinforcement of five hundred men; and being likewise joined by a considerable number of the Irish, he marched southwards by way of Dundalk, and penetrated through Meath into Kildare; marking his progress, not by the conciliating arts of a judicious conqueror, but by spreading ravage and devastation on every side, as if ambitious to reign over a depopulated desert. In this march, Nobee, Kenlis, Grenand abbey, Finnagh, and Newcastle, were destroyed. 25 Dec. The Scots are said to have kept their Christmas at Loughsudy, which they likewise burnt; and they marched thence by Totmoy, Rathymegan, Kildare, Tristeldermot, Athy, Reban, and Skethy, to near Arscol in Leinster, laying every thing waste in their progress *.

1316. 26 Jan. Near Arscol in Kildare, the Scots were encountered by a fresh army under the command of the lord Edmond Butler, the chief governor of Ireland. Though greatly superior in numbers to the Scots, this Anglo-Irish army was much enfeebled by discord, faction, and insubordination among its leaders, who seem

* Irish An. ub. supr.

faithfully to have copied the factious example of England during the weak reign of Edward II. Unmindful of their duty to their king and country, and careless of their military fame, they disgracefully fled and dispersed after a feeble resistance against the determined charge of the Scots troops. In this action Sir Fergus of Ardrossan, and Sir Walter Moray, two distinguished leaders of the Scots, are said to have been slain *: Yet Fergus of Ardrossan is expressly stated as alive and doing good service in the subsequent events of the final siege of Carrickfergus castle †. And a person of the same name and title appears in 1320, among the number of the Scots barons who addressed a spirited remonstrance to the Pope, to be afterwards mentioned.

A. D. 1316. 26 Jan.

In this action, the separate bodies commanded by lord Edmond Butler, Sir John Fitz-Thomas, and Thomas Arnold lord Poer, the principal leaders of the Anglo-Irish army, are stated to have been each singly an overmatch in numbers for Edward Bruce and all his troops. But, owing to disaffection, they acted with so little concert, as to be easily

* Irish An. ub. supr. † Barb. XV. 193—198.

A. D. 1316. 20 Jan. overthrown. Among the slain, Sir William Prendergast, and Haymond or Raymond de Grace, a noble and loyal esquire, are particularized *.

Feb. At this unhappy period a grievous famine, almost beyond the example of any age or country, raged in Ireland. The necessary consequence of intestine war and foreign invasion, in which the two contending parties cruelly ravaged the possessions of each other with savage reciprocal ferocity. So great was the scarcity that corn, perhaps wheat, is said to have sold for eighteen shillings the bushel †, a price utterly incredible; being at the rate of seven pounds four shillings of the coin of that period, or twenty-one pounds twelve shillings of our present coin, the quarter; and equivalent to one hundred and eight pounds the quarter, in proportion to the modern efficacy of money in purchasing the necessaries of life. A mistake must have occurred in attributing the price of a quarter to that of a bushel: yet, after this conjectural emendation, the price of the quarter still remains equal to thirteen pounds ten shillings of our modern money.

* Irish An. ub. supr. † Id.

Though unopposed in the field, Edward Bruce was unable to procure provisions for his army, many of whom perished for want. On that account, and because incapable to make himself master of the fortified places, in which the scanty remains of sustenance had been carefully secured by his enemies, he found himself under the necessity of quitting his encampment between Geshill and Offaley, and endeavouring to retreat by Faghir in Meath, into Ulster; where his authority seems to have been tolerably established, and where, from its vicinity to Scotland, he might be better able to procure provisions by sea *. A. D. 1316. Feb.

While Bruce was on his retreat into the north, Roger lord Mortimer of Wigmore, a nobleman who possessed extensive estates in Meath in right of his wife, hastily collected a body of troops, said to have amounted to fifteen thousand men, and endeavoured to intercept the retreat of the Scots. The hostile armies encountered near Kenlis in the county of Meath; but, with their usual bad fortune, the troops of Mortimer were defeated with great slaughter; insomuch, that eleven thousand of them are 21 Feb.

* Irish An. ub. supr.

A. D. 1316. 24 Feb. said to have been slain; among whom, were Felim O Connor, the titular king of Connaught, and several other chieftains. On the night after the battle, John Husee, designed *carnifex* or butcher of Anry, was sent to the field to search for O Kelly, one of the Irish chieftains, who was supposed to have concealed himself among the slain. O Kelly and his squire, while endeavouring to steal off, met with Husee and his servant, who were searching for him, and endeavoured to persuade Husee to join his party, on promise of high reward. But Husee, having first slain his own servant for pressing him to comply with the offer, fought with, and killed both O Kelly and the squire. For his fidelity and gallantry on this occasion, Husee was knighted by lord Bermingham, and rewarded by a considerable grant of lands *.

A strange traditionary tale is related as having occurred about this time. In a battle among the native Irish of the two opposite parties, near Tullach, about four hundred of the favourers of Bruce were slain, and their heads carried to Dublin castle. In the ensuing night, the dead seemed to arise and fight

* Irish An. ub. supr.

against each other, vociferating *fennokabo* as the signal of battle *. A. D. 1316.

At this period, the earl of Moray was again dispatched into Scotland to procure additional reinforcements for the army of Bruce, worn down and reduced by the perpetual hardships of nine months warfare, in which at least three general actions had been fought with the enemy. The Irish annals expressly date this second mission of Moray, as having taken place in the first week of Lent; and as Easter fell in that year, 1316, on the 11 April, Ash-Wednesday or the commencement of Lent must have been the 25 February †. March.

The ancient historians of England have entirely neglected the incidents of this war in Ireland, and no lights are to be gleaned respecting it from the Fœdera; so that we are almost entirely reduced to depend upon the information contained in Barbour, and the Irish annals appended to the Britannia of Cambden. In both of these, the names of persons and places seem often very inaccurately reported. Two lists in the Fœdera supply some names of principal persons in Ireland about

* Irish An. ub. supr. † Id. and A. of S. II. 73.

A. D. 1316. this period. One of these dated, from Dublin 2 February 1316, is a declaration of loyalty to Edward II. from John Fitz-Thomas lord of Doffaly, Richard de Clare, Maurice Fitz-Thomas, Thomas Fitz-John, John le Poer baron of Dunville, Arnold le Poer, Maurice de Rocheford, David de la Roche, and Miles de la Roche: yet their fidelity had to be assured by hostages in the castle of Dublin *.

The other is dated 22 August 1314, and gives a list of a number of principal Irish chieftains, who were envited or required by Edward II. to come over to his assistance with their people, under the supreme command of the earl of Ulster, previous to the battle of Bannockburn †.

Eth O Connor, chieftain of Connaught, Duvenal O Neel of Tyrowen, Neel Mobreen of Kynallewan, Eth O Skin of Turtery, Admely MacAnegus of Onehagh, Neel O Haulan of Erthere, Bien [Brian ?] MacMahun of Uriel, Lavereagh MacWyr of Lougherin, Gillys O Railly of Bresfeny, Gaffrey O Fergy of Montiragwil, Felyn O Honoghur [Felim O Conoghur ?] of Connach, Donethuth O Bien [Brian ?] of

* Fœd. Angl. III. 546. † Id. ib. III. 476.

Tothmund, [Thomond?] Dermod MacArthy of Dessemound, Gilbert Ekelly, [O Kelly] of Omany, Omalen Helyn of Midie, Dermod O Tonoghur, [Conoghur?] of Doffaly: And the following with no territories expressed; Denenol [Donald] Carbragh, Maur. Kenenagh MacMurgh, Murghugh O Bryn, David O Tothwill, Fyn O Dymsy, Sonethuth [Donethuth? for Doncath, or Duncan] MacGillephatrick, Leyssagh O Morth, MacEthelau. The words within brackets are conjectural amendments of the orthography in the Fœdera. A. D. 1316.

Having thus endeavoured to trace the steps of Edward Bruce in his attempt to acquire the dominion of Ireland for near ten months, it is now necessary to revert to the more immediate affairs of Scotland.

CHAPTER XV.

Reduction of the Hebudes, or Western Isles of Scotland, by the King of Scots; Birth of his Grandson, afterwards Robert II; and Death of the Princess Marjory: All in 1316.

A. D. 1316. WHILE the events which have been narrated in the preceding chapter were transacting in Ireland, Scotland appears to have enjoyed a most unusual interval of tranquillity; insomuch, that the prosecution of the war with England seems to have been almost entirely at a stand during the whole of the years 1315 and 1316. The English administration was completely occupied with the continual dissentions between Edward and his factious nobles; and the King of Scots judiciously improved this favourable opportunity, in cultivating the arts of peace, and endeavouring to repair the ravages which his country had sustained dur-

ing the war. Any events that may have occurred on the borders of the two kingdoms, between the perpetually hostile and unquiet marchers, have been entirely omitted by the contemporary historians of both kingdoms. A. D. 1316.

To add to the embarrassments of the English government, and which must have materially aided the efforts of the Scots, a rebellion of considerable importance appears to have subsisted in Wales, in the months of February and March of this year *. To this the discontinuance of the war against Scotland must be attributed; as the military force of England was summoned for that purpose to assemble in June at Newcastle †, but was afterwards prorogated to the month of August ‡, and again to the end of September §, and appears never to have been assembled. And, during this season, several abortive attempts appear to have been made by Edward, to procure a truce with the Scots ‖. The attention of the English government was likewise greatly occupied this season by the progress of Edward Bruce in Ireland ¶. Feb. 20 Feb.

* Foed. Angl. III. 546—555 and 578-579.

† Id. III. 553. ‡ Id. III. 562. § Id. III. 568.

‖ Id. III. 553—582. ¶ Id. III. 580.

A. D. 1316. It would appear, that John of Lorn, who had been obliged to abandon his possessions on the mainland of Scotland, ever since the defeat of his troops at the pass of Cruachanbean, in 1308, had continued to maintain independent possession of the western islands, under the presumed or implied protection of England. Taking advantage of the present favourable conjuncture of his affairs, and the tacit cessation of hostilities with England, and convinced that the factious dissentions in that country would prevent Edward from giving any serious disturbance to Scotland during his intended absence, and from being able to dispatch any efficacious succours for the defence of Ireland against his brother; Robert determined upon undertaking an expedition into the Hebudes, or western Scots islands, that he might reduce them to obedience, and remove the hostile power of Lorn from so near neighbourhood to the not perfectly assured fidelity of the western highlands. In this expedition, he appears not to have experienced any material resistance; and he accordingly speedily and easily succeeded in reducing these islands under his authority.

For this expedition, Robert collected his troops and shipping at East Tarbet, apparently

not perfectly well calculated for the purpose; but he seems to have chosen this place on purpose to deceive the English into a belief that his naval and military preparations were intended for an expedition into Ireland, so that Lorn might have no suspicions of its real destination. A narrow isthmus, or low laying neck of land, stretches across between the lochs of East and West Tarbet, not exceeding an English mile and a quarter in breadth, by which the peninsula of Cantire is connected with the district of Knapdale in Argyle. Across this isthmus, a species of road was constructed from sea to sea, by means of two rows of trees laid length-ways and parallel, and dubbed smooth, similar to those slides or ways which are still used for launching vessels from the stocks. Along this sliding road, the Scots vessels were all dragged from East Tarbet by the troops and mariners, and launched into West Tarbet loch; and this singular operation is said to have been much facilitated by spreading all the sails to a favouring gale of wind. This account, as given by Barbour, has been long much misunderstood in consequence of a singular word employed by him in the following passage: A. D. 1316.

A. D. 1316.

"Bot thaim worthyt * draw thair schippis thair;
And a myle wes betwix the seys,
Bot that wes *lompnyt* † all with treys.
The King his schippis thar gart draw ‡.

The word *lompnyt* in the above quotation, is left unexplained by Pinkerton in the glossary to his edition of Barbours Bruce. In the glossary to Sibbalds Chronicle of Scots poetry, it is conjectured to have had the same signification with *lonit*, implying rowed like trees in an avenue or hedge-row. But, in his excellent Etymological Dictionary of the Scots language, Dr Jamieson has very ingeniously and satisfactorily explained it in the manner already described, of a sliding road or way; although, as mentioned by the same learned etymologist, it may likwise signify that the vessels were conveyed across the isthmus, by means of a great number of rollers, made of felled trees cross cut into convenient lengths; perhaps both expedients were combined.

According to Barbour, the western islanders had a tradition current among them, importing, that they would never be subdued, un-

* It became necessary for them.

† Laid with beams of timber.

‡ Barb XV. 274—277

less by one who should sail across the isthmus of Tarbet; and that, intimidated by this singular commencement of the expedition, and considering the supposed prophecy to have been fulfilled by this incident in the person of the King of Scots, thus designated by fate to be their conqueror, they immediately submitted without resistance to his arms *. A. D. 1316.

"That Bruce might have drawn his slight vessels across the isthmus", observes Lord Hailes, "is not impossible, but it is not probable, that he, who was acquainted with those seas, should have bestowed so much labour, merely to avoid doubling the Mull of Cantire."† The probable reason of this procedure has been already assigned; and it may be farther observed, that the king might possibly have heard of the supposed prophecy, and might have politically employed the artifice for influencing the superstitious ignorance of the islanders to submit to his authority. It is possible that he might have been induced to the exertion of so much labour to avoid delay, after rendezvousing at East Tarbet, for the reason formerly assigned; as a favourable wind for sailing from West Tarbet loch to the

* Barb. XV. 287—299. † A. of S. II. 74.

A. D. 1316. islands was completely adverse for doubling the Mull, or cape of Cantire; and he may have apprehended the possibility of succours arriving from England to Lorn, if the expedition were delayed in waiting for a favourable wind.

In the course of this successful expedition, John of Lorn was made prisoner. He was first committed to custody in Dumbarton castle; whence he was removed to the castle of Lochleven, where he died *. Walter Stewart, the son-in-law of Robert, is said to have accompanied him in this expedition †. Though not expressly mentioned, it is probable that the lordship of the isles was conferred upon him; as, during the reigns of his descendents to the present day, the heirs apparent to the Scots throne have always borne this lordship among their titles. Barbour adds, that Robert remained a considerable time in the western isles, occupied

"At hunting, gamyng, and at glé ‡.

* Barb. XV. 305—310.

† Id. ib. note, vol. iii. p. 14. addition from the printed editions.

‡ Id. ib. 314.

About this time, the Princess Marjory, whom the king her father had bestowed in marriage on the High Stewart of Scotland, bore a son, Robert, who mounted the throne of Scotland fifty-five years afterwards, on the death of his uncle David. This joyful event, by which a male heir was promised to the Scots throne, was soon changed to mourning; as Marjory died almost immediately afterwards *. A. D. 1316. 2 March.

Such is the simple relation of Fordun, without the mention of any circumstances relative to the birth of the young Stewart, or the death of the princess, to induce a supposition of any thing extraordinary in regard to either event. But tradition has contrived to embellish the story, with a complication of wonderful additional particulars, thus related by Crawford, in his History of Renfrewshire. "At this place, in the lands of Knox, there is a high cross standing, but no inscription is legible. Tradition hath handed down, that it was erected on this occasion. Marjory Bruce, daughter of the renowned Robert I. and wife of Walter, Great Stewart of Scotland, at that time Lord of Renfrewshire, while hunting at

* Ford. XII. xxvi.

A. D. 1316. 2 March. this place, was thrown from her horse, suffered a dislocation of the vertebrae of her neck, and died on the spot. She being pregnant, fell in labour of King Robert II. The child or fœtus was a Caesar. The operation being peformed by an unskilful hand, his eye was touched by the instrument, and could not be cured; from which he was called King Blearie. This, according to historians, fell out in the year 1317 *."

On this extraordinary, absurd, and ill told traditionary story, in which even the date of the year is mistaken, Lord Hailes has given a formal dissertation. Though the subject be certainly of little importance, yet, as every thing from his pen, relative to the history of Scotland is interesting, it has been deemed proper to insert the substance in this place †.

"It is an opinion generally received, that Marjory the daughter of Robert I. while big with child, was thrown from her horse, and killed, between Paisley and the castle of Renfrew, on Shrove Tuesday, 2d March 1315-6; and that her child was brought into the world by the Caesarean operation." After reciting the particulars of the traditionary story from

* Hist. of Renfrew, p. 41.

† A. of S. III. 59. Ap. No. ix.

Crawford, he thus proceeds: "I cannot discover the origin of this story. Fordun *, the author of the Excerpta e Chronicis Scotiae †, and John Major ‡, relate the birth of Robert Stewart, afterwards king of Scotland by the name of Robert II. but they mention nothing of any extraordinary circumstances attending his birth. Barbour, who wrote in the reign of Robert II. and Winton, who wrote soon after the death of Robert III. are silent as to the events related by Crawford, and so also are Bellenden, Lesley, and Buchanan." A. D. 1316. 2 March.

"Boece not only omits any mention of this story, but speaks in a strain inconsistent with it. His words are "Mortua, eisdem temporibus Marjora, Roberti filia, relicto filio, adhuc puero, Roberto Stewart §." Nearly about the same time died Marjory, the daughter of Robert, leaving a son, Robert Stewart, yet a child. If Boece had imagined that Marjory lost her life in this manner, he never would have said that she died leaving a son *yet a child*."

* Ford. XII. xxv. † M. S. in Adv. Lib. Edin.

‡ Major, Hist. Scot. V. iv. § Boece, 305.

A. D. 1316. 2 March.

"It is said, in confirmation of the vulgar tradition, that, by the unskilfulness of the surgeon who performed the Caesarean operation, the infant received a wound in the eye, and that hence Robert II. was stiled *Blear-eye*. That Robert II. when advanced in years, had a remarkable inflammation in one of his eyes, is certain. Froissart, who visited his court, speaks thus: "King Robert of Scotland had one eye turned up, or tucked up, and red, resembling sanders wood *." The words of Froissart are corrupted, but their sense is sufficiently intelligible. In those times, *rouge come sendal*, red like sanders wood, was a common phrase for exceedingly red. But surely this affords no presumption that Robert II. received a wound in his eye when he was entering the world, or that the inflammation was occasioned by that accident. A man bred up in war as he was, might have had his eye hurt without the unskilfulness of a surgeon."

"The chief argument in favour of the popular tradition, arises from the circumstance of a cross, or pillar, having been erected on the spot where the Princess Marjory is supposed to have died. That pillar has been re-

* Froiss. II. 169.

moved within the memory of man; and it was known in the beginning of the eighteenth century, by the name of Queen Blearies Cross. I am assured by persons eminently skilled in the Gaelic, that there are two words in that language, *cuiné blair*, which literally signify *memorial of battle.* The difference of sound between cuiné blair and Queen Blearie, as pronounced by the vulgar, is less than generally occurs between the Gaelic and Saxon pronounciation of the same words. It is certainly less than between Ard-saet and Arthurs-seat, or between Dumpender and Traprain. Holding this etymology to be just, we might conclude, that the origin of the name of the pillar or monument in question, is to be sought for in times much more ancient than those of Robert I." A. D. 1316.

"Popular tradition is the most inaccurate of all histories. It records, in Angus, every particular of the last days of M'Beth; and it points out the very spot where the fabled Hays turned the chance of the imaginary battle of Luncarty. By tradition, Wallace has been degraded into a hero of romance, a giant, and a combater with spirits: And, in-

A. D. 1316. deed, he is scarcely known to the vulgar under any other character."

"The capital and obvious absurdity in the tradition of the Cross of Queen Blearie, is this, that Marjory, the wife of the Stewart of Scotland, is supposed to have received the appellation of *queen*. Fifty-five years had elapsed after her death, before her son Robert succeeded to the crown. Now, even supposing her to have been called a *queen*, because her son became a king, it still follows, that she could not possibly have received that appellation until fifty-five years after her death; and that she could not have received it from any one who knew so much of history, as that Robert Stewart succeeded to David Bruce. Besides, why should Marjory Bruce be called *Blear-eye*, because her son was wounded in the Caesarean operation?

"It has been remarked by a learned friend, "That the cross might originally have been "called King Blearies mothers cross; and that, "in the process of time, this might have been "changed into Queen Blearies cross." That change must have been pretty violent, which in a sentence of four words, omitted *mother*, the chief word, and turned king into queen. But still the observation holds good, that the

name of Queen Blear-eye could not have been given to the Princess Marjory until fifty-five years after her death: And, indeed, there is reason to believe, that the name of Blear-eye was not given, even to her son, for many years after." A. D. 1316.

"Our ancestors did not distinguish their sovereigns, who bore one common name, by the appellation of first, second, &c. Thus, on the Scottish coins, we have the general title of Alexander Rex, and Robertus Rex, while antiquaries are obliged, from the size of the coin, the fineness of the metal, and other circumstances, to determine whether Alexander II. or III. or Robert I. II. or III. ought to be understood."

"While Robert II. reigned, there was no occasion for distinguishing him by any peculiar epithet. To call him the king, or liege lord, was a sufficient description. Neither is it probable, that after the accession of his son Robert III. Robert II. would have been distinguished from Robert I. otherwise than by the name of Robert Stewart, in opposition to the name of Robert Bruce. Thus, we know that David II. was called David Bruce, or David

A. D. 1316. Rex modernus, David the present King, to distinguish him from David I."

"After the death of Robert III. a distinction between Robert II. and Robert III. became necessary. Although our ancestors did not use the distinction of first, second, or third, when speaking of kings who had the same name, yet they used another distinction, which was no less intelligible. Every one knows that the epithet given to Robert III. was *Faranyeir;* but the import of the word is not generally known. Faren or faran, is gone or past, as farand is going or passing. Thus, farand-man was used with us for a traveller. And way-faring-man continues to be a phrase in the English language. We still retain auld-farand, literally an old traveller, but figuratively a person sharp and versatile*. For while there was little intercourse among nations, he who had travelled into foreign countries was supposed to have acquired, by experience, a knowledge of mankind, and a suppleness of manners, not attainable by those who had always continued at home. Of the

* Auld-faran means sagacious; applied to youth, it signifies having the sagacity and discretion of more advanced age. Jamieson, Etymolog. Dict. ad voc.

like signification is the French expression *vieux routier*." A. D. 1316.

"Thus, *faranycir* means the past year, or late; and Robert Faranyeir is precisely *the late* King Robert. Robert III. sometimes received the appellation of John Faranyeir, because his baptismal name was John. And thus he was distinguished from John Balliol, or John the first."

"Our ancestors having thus distinguished Robert III. from the two former Roberts, took a separate method for distinguishing between Robert II. and him. They called Robert II. Blear-eye, from the inflammation in his eye. That circumstance could not fail of being remembered by the nation; because the interval between his death and the death of his son Robert III. was of fifteen years only. Hence, it is probable, that as Robert III. could not receive the appellation of Faranyeir, till after the accession of James I. so Robert II. did not receive the appellation of Blear-eye, before the same period, when it became necessary to distinguish between him and *the late* King Robert."

"Should this deduction be held just, it will follow that Marjory, the daughter of Robert I. could not possibly have received the appella-

A. D. 1316. tion of Queen Blear-eye, or Blearie, till after the death of her grandson, Robert III. that is, about *ninety* years after her own death; and this, of itself, must greatly invalidate the evidence arising from a tradition to which so confident an appeal is made. I do not by this admit that she was known by that name, at the distance of ninety years after her death; for hitherto I have not seen any evidence that she was known by that name, till near four hundred years after her death."

"Many other circumstances in the vulgar tale, are exceedingly improbable. 1. The Princess Marjory is supposed to have been hunting on horse-back when the time of the delivery of her first child approached. 2. The day appointed for this extraordinary hunting party, was Shrove Tuesday. The protestants of Paisley, in whose neighbourhood this story may be said to have originated, cannot decern the difference betwixt *Shrove Tuesday*, and any other Tuesday: but if a Roman Catholic princess, even in our free times, should be invited to a hunting match on Shrove Tuesday, she would be shocked at the profane invitation. 3. It is a singular circumstance, that the princess should have dislocated the vertebrae of the neck, and yet that there

should have been time to perform so successfully the Caesarean operation on her child. A. D. 1316.
4. It is extraordinary that there should have been at hand any person so capable of performing the operation, as not to hurt the child any farther than by a flesh wound in the eyelid, or on the ball of the eye.

"Of late years, the circumstances of the story have been somewhat varied; and it has been reported, that the Princess Marjory was not riding on a hunting party, but was riding to Mass, when she lost her life. The person who made this improvement on the story, knew that Shrove Tuesday was a day kept holy by the Romish church, for the purposes of solemn confession."

"Another story is now told in the neighbourhood of Queen Bleanes cross. It is said that there were disturbances in the country; that the Princess Marjory rode from Renfrew towards Paisley, with the purpose of taking refuge there; but that she was thrown from her horse, and died of the fall. It supposes that the Princess Marjory rode on horseback at a period so critical, from necessity, not choice."

A. D. 1316. "Having made these observations on the popular story of Queen Blearie, I leave it to my readers to form the conclusion."

The reasoning employed in the foregoing dissertation, to account for the appellation of Faranyeir to Robert III. and to fix the period of its being first used, does not appear conclusive. Had this term been applied merely to indicate *the late* Robert, it certainly would have been likewise used in speaking of other deceased kings; which is not the case. The real occasion of this appellation appears to have been thus: Upon the accession of this king, he assumed the popular name of Robert, instead of his baptismal name John. Owing to this circumstance, he appears to have received from his subjects the jocular cognomen, or sobriquet, of John Faranyeir; as indicating that he was John last year, or formerly, though now Robert: In process of time, when his baptismal name of John was forgotten among the people, the sobriquet, or nickname, would be customarily attached to his regal name, Robert; and it is highly probable, that both of these designations, John Faranyeir, and Robert Faranyeir, were used among his people during his own reign, more espe-

cially the former. There is every reason to believe that many of these nick-names were actually applied to kings and great men, during their lives, or almost immediately afterwards: as Long-shanks, Cœur-de-lion, Carnarvon, Beau-clerk, Plantagenet, Black Prince, Rufus, Ghent, Bloody Mary, King-maker, Long-sword, Grim, Bell-the-cat, and many others: and the practice still continues, in political squabbles, popular custom, and schoolboy familiarity, to the present times. Upon the whole, therefore, it may be safely concluded, that the terms of Blear-eye, and Faranyeir were actually applied to Robert II. and Robert III. during their respective reigns, or immediately afterwards, to distinguish them from Robert I. called the Bruce, and from each other. The disease or deformity in the eye, from which Robert II. got the name of Blearie, is exceedingly common among old people; especially such as have been much exposed to the severities of the weather. The absurdity of the name of Queen Blearie, as noticed by Lord Hailes, is perfectly obvious.

A. D. 1316.

CHAPTER XVI.

From the Assumption of Supreme Power in Ulster, by Edward Bruce, in February 1316; to the Return to Scotland of Robert I. from an Expedition into Ireland, in Aid of his Brother, in 1317.

A. D. 1316. WE now return to notice the proceedings of Edward Bruce in Ireland. Almost immediately after the defeat of the Anglo-Irish forces at Kenlis, Edward Bruce resumed the siege of Carrickfergus castle. At this period, the Scots seem to have been exceedingly unskilful in that part of the art of war which relates to the attack of fortified places. Escalade, stratagem, surprisal or blockade, comprise the whole methods which appear to have been employed by them during this reign, for

recovering the national fortresses from the English. This may have been owing to the inadequacy of the Scots public finances for incurring the expence of constructing the machinery necessary to force an entry into strong fortifications. Accordingly, no means appear to have been adopted on the present occasion, for getting possession of Carrickfergus castle by force of arms; a rigid blockade seems alone to have been employed. A.D. 1316.

Although unable, immediately after their repeated defeats, to collect a sufficient army in the field, to attempt raising the siege, a considerable body of troops, under the command of Thomas lord Mandeville, hastened to its relief, and found means to enter the castle in safety. According to Barbour, a truce had been entered into between Bruce and the garrison, commencing upon Palm Sunday, 4th of April, and to continue until the Tuesday after Easter, that the hostile troops might have an opportunity to employ the holy season of Easter in penance and devotion *. It has been formerly mentioned, that Easter day that year fell upon the 11th of April, consequently the truce or armistice 10 April.

* Barbour, XV. 101—104.

A. D. 1316. 10 April.

ought to have subsisted until the 13th of that month. Whether the admission of these succours were considered as an infraction of the truce, does not appear; but the subsequent attack by Mandeville on the besiegers, during its subsistance, is stigmatized by Barbour, as a flagrant breach of good faith, and a most impious infraction of a truce entered into for holy purposes. It is affirmed by Barbour, that these succours under Mandeville got into the castle on Easter-eve, or Saturday the 10th of April, as already stated; and he adds, that they came by sea from Dublin in fifteen vessels, and consisted of four thousand men *. This number is incredibly large for the purpose of reinforcing the garrison of a castle in those days; and is more likely to have been only four hundred, augmented ten-fold by mistaken transcription, or erroneous recital.

The success of Mandeville, in getting into the castle, with this reinforcement, unopposed by the Scots army, was most probably owing to a relaxation of discipline in the beseigers, in consequence of the truce. Yet it is not easy to account for the apparent continuance of that inattention after the arrival of the

* Barb. XV. 105—112.

succours, which seems to have been the case from the events of the succeeding day, to be immediately noticed. It is not to be supposed that so large a reinforcement could have got into the castle unobserved; and it surely was an instance of extreme disregard to the security of his troops, in Edward Bruce, that only sixty men appear to have been appointed by him, as the regular guard, on the night immediately succeeding the arrival of Mandeville*. Bruce ought to have learnt a better lesson from the discomfiture of Methven, than to have confided the safety of his army, and the cause in which he was engaged, to the weak ties of a point of honour. True bravery does not less consist in prudent foresight, and wise precautions against approaching or possible danger, than in meeting it with undaunted courage when it arrives. In the latter quality, Edward Bruce appears to have been complete; but in the former qualification of a consummate warrior, he seems to have been often extremely defective. A. D. 1316. 10 April.

Observing the careless security of the Scots cantonments in the town of Carrickfergus, 11 April.

* Barb. XV. 129.

A. D. 1316. 11 April. and notwithstanding the truce, which he perhaps considered as binding only on the original garrison, by whom it had been agreed to, Mandeville resolved to attempt beating up the Scots quarters. Accordingly, early in the morning immediately after his arrival, he made a desperate sally from the castle, at the head of all the troops which he had conducted for its succour. The only guard of the Scots in readiness to oppose this enterprise, consisted of sixty chosen men under the command of Neil Fleming, who seems to have been posted in the principal street of the town, leading directly to the main-gate of the castle. Considering that the Scots army, thus unexpectedly assailed, might be totally routed, unless time were gained for its being armed and arrayed, Fleming generously resolved to devote himself and his companions to almost inevitable destruction, for the preservation of the rest of the army. He immediately drew up his men to the best advantage for making a resolute and firm defence; and, having dispatched a messenger to communicate the alarm to Edward Bruce, he addressed his small but gallant band, in the following emphatic manner: "Now shall all "men see who of us dares to die for his lord.

"Bear yourselves therefore manfully, for I "am resolved to fight against this great "odds, that our general may have time to "arm and come to our assistance *." Fleming accordingly resisted the assault of Mandeville and checked him for sometime: But, in the unequal contest, he and all his men were at length slain, after having sold their lives dear, both by a considerable slaughter of the assailants, and by gaining much precious time for the Scots army to get into order.

A. D. 1316. 11 April.

Elated by this first success, Mandeville sent off two detachments, with orders to march along the skirts of the town on both sides, to prevent the escape of the Scots, while he proceeded along the principal street with the main force of his troops, towards the head quarters of Edward Bruce; fondly imagining that the final issue of his enterprise was to be equally fortunate with this first effort of his arms. But so much time had been expended in the encounter with Fleming, that the Scots, now alarmed, were assembling in all haste from their quarters to their alarm posts; Mandeville was soon encountered by

* Barb. XV. 139—144.

A. D. 1316. 11 April.

Edward Bruce in person, at the head of his own household establishment, and such others of the Scots as had been able to arm and assemble. In the foremost rank of the troops now led on by Edward Bruce, was one Gilbert Harper, renowned in the Scots army for strength and intrepidity.

"He wes the douchteast in deid *
That then was levand † of his state ‡."

Knowing Mandeville by his arming, or the coat armorial which he wore over his armour, Harper felled him to the ground with one blow of his battle-axe: And, according to Barbour, Edward Bruce, who was immediately behind Harper, seeing Mandeville fall, turned him over as he lay on the ground, and stabbed him to death with a dagger §.

Daunted by the loss of their commander, while the Scots rapidly increasing in numbers pressed hard upon them, the English at length gave way, and endeavoured to make good their retreat to the castle. At this critical period, Fergus of Ardrossan is particularly mentioned as bringing up a reinforcement of

* Most valiant in action. † Living.
‡ Barb. XV. 182. 183. § Id. ib. 190—192.

sixty armed warriors to the assistance of Bruce*. The garrison of the castle, being afraid lest the Scots might force an entrance along with the fugitives, barricaded the gate, hoisted up the draw-bridge, and refused to admit their own discomfited freinds, whom they thus abandoned to the fury of their enraged enemies †. The Scots, increasing every moment in numbers and confidence, unremittingly urged on the assault upon the now discomfited assailants; and, during this almost unresisted slaughter before the gates of the castle, another knight or commander of the name of Mandeville, said to have been the most valiant warrior in all Ireland, is reported to have fallen by the hand of Edward Bruce ‡.

A. D. 1316. 11 April.

Barbour particularly mentions a leader in the army of Bruce, named Maknakill, who did good service upon the present occasion, at the head of two hundred spearmen, probably Irish. Maknakill slew great numbers of the English after their repulse from the streets of Carrickfergus; and by means of some engine or device, not described, got possession of four or

* Barb. XV. 193—195.

† Id. ib. 210—212. Ann. Hib. ap. Cambd.

‡ Barb. XV. 205--209.

A. D. 1316. 11 April.

five of the vessels in which Mandeville and his unfortunate succours had been conveyed from Dublin; and it is added, that he put to death the whole of the crews of the captured vessels *. Of the whole party which issued from the castle under Mandeville, it is said that not one man escaped death or captivity †. Barbour is extremely severe in his observations on the conduct of Mandeville and his party, for their infraction of the truce, and more especially for having violated the sanctity of Easter; and considers the disastrous issue of their enterprise, as a just judgement upon them for their impiety and breach of faith ‡.

After the carnage of this sanguinary conflict had ceased, Edward Bruce surveyed the original place of action in the principal street of Carrickfergus, where he found the gallant Fleming still alive, but in the agonies of death, with all the brave soldiers of his noble band laying dead around him. Bruce bitterly lamented the fate of this valiant band, although, says the historian, he was unused to make any lamentation, and could not endure to hear

* Barb. XV. 222—224.

† Id. ib. 215—218 and 243—253. ‡ Id. ib. 243—253.

others lament on any occasion *. The same observation was made formerly, respecting the general character of Edward Bruce, on occasion of the death of Sir Walter Ross at the battle of Bannockburn. Perhaps, on the present occasion, he may have bitterly blamed himself for his neglect of sufficient military precaution, to which the death of these brave men may be attributed.

A. D. 1316. 11 April.

The Irish annals appended to Cambden give a different account of the circumstances of this conflict, and of the death of Mandeville. As there related, after having introduced succours into the castle, Mandeville had successful skirmishes with the Scots on the eighth and tenth days of April, and was slain in a subsequent rencounter or sally, *about the kalends* †. Whether by this last expression, we are to understand the 14th of April, when the kalends begin, or the 1st of May, seems uncertain, but is most probably intended to indicate the 14th of April: For, as Edward Bruce was crowned on the 2d of May, it is hardly presumeable that this ceremony would be performed on the day imme-

* Barb. XV. 231—238.

† An. Hib. ap. Cambd.

A. D. 1316. 11 April. diately succeeding an important conflict, when cares of a more melancholy nature would demand attention. The account in Barbour is exceedingly distinct; and in it he speaks so forcibly of the guilt of violating the truce and disregarding the sanctity of Easter, that he certainly did not invent the story. It seems evident, that the original garrison of the castle had entered into a truce with the besiegers; but that Mandeville, being no party to that transaction, did not consider its conditions as binding upon him and the succours which he had introduced *. In conformity with this military casuistry, the garrison took no share in the sally.

The somewhat discordant dates of this story, as related in the Irish annals, and in Barbour, may in some measure be reconciled. The skirmishes of the 8th and 10th of April, mentioned in the Annals, may be thus accounted for; the former as referring to some encounter between the troops of Mandeville and a detachment of the Scots, or of their Irish adherents, while he was on his march towards Carrickfergus, or while endeavouring to land, and the latter to some opposition

* A. of S. II. 75.

while making his way into the castle; both of so little importance as to have been omitted by Barbour or his informant. The date of the last encounter in which Mandeville was defeated and slain, is very vaguely expressed in the Annals; either because the writer was not correctly informed of the precise date, or because he was unwilling to say expressly that Mandeville had violated the sanctity of Easter. A. D. 1316. 11 April.

After the fatal issue of this attempt for their relief, the garrison of the castle consented to surrender to the Scots, unless succour should arrive within a fixed space of time; which, from circumstances to be afterwards mentioned, seem to have been limited to the last day of May *. According to Barbour, they entered into an agreement to surrender after a short period, "saving life and limb:" And Edward, having accordingly got possession, and remained there a short time to refresh his troops, stored it plentifully with provisions, and left it under the custody of a governor of approved fidelity, with a select garrison †.

Some time after the discomfiture and death of Mandeville, and it would appear between 2 May.

* An. Hib. ubi. supr. † Barb. XV. 254—265.

A. D. 1316. 2 May. the agreement of the garrison to surrender, and the execution of that agreement, Edward Bruce was solemnly crowned king of Ireland on the 2d of May 1316 *.

In the series of events of the present period, as given in the Annals of Ireland appended to the Britannia of Cambden, it appears as if Edward Bruce had discontinued the blockade of Carrickfergus castle, trusting to the stipulations of a new truce, immediately after the violent infraction of one just before by Man-
31 May. deville. These annals farther relate that when Bruce summoned them to surrender according to their agreement, the garrison desired him to send a detachment to take possession. That thirty men were accordingly sent for this purpose, whom the garrison treacherously made prisoners, and declared their resolution to defend themselves to the last extremity. That after having endured the extremity of famine, during which they had subsisted for some time on the hides of cattle, and had even been constrained to feed on the Scots detachment whom they had made prisoners, they were at length under the necessity of capitulating and surrendering at discretion †.

* An. Hib. ub. supr. † Id. ib.

It is observed by Lord Hailes, "That he should have hesitated to relate this strange story, if its authenticity had depended upon the authority of the enemies of the English. No notice is taken of such circumstances in the Scots historians; but they are related in the Annals of Ireland, a work by no means unfavourable to the English *." From the silence of Barbour, who is extremely minute in relating the incidents of the war in Ireland, and who so strongly urges the bad faith of the English, in the sally of Mandeville during a subsisting truce, we may very justly suspect this barbarous incident to have been invented among the Irish adherents of the Scots, and adopted by the annalist without due consideration or enquiry. From the circumstance of the garrison being admitted to capitulate, and from the silence of Barbour, we may safely reject the story altogether. Although the long and faithful resistance of this garrison was finally unavailing, through the neglect of the great Anglo-Irish barons, yet their obstinacy long employed the chief attention of Edward Bruce, and, by delaying his operations in the field, may have very

A. D. 1316. 31 May.

* A. of S. II. 76.

A. D. 1316. 31 May. materially contributed to avert the expulsion of the English from Ireland.

A long interval of total inaction, or rather of want of historical record of the incidents in this Irish war, now occurs. As, from the 11th of April, the date of the death of Mandeville, except the coronation of Edward Bruce, and the surrender of Carrickfergus castle on the 31st May, we have no circumstances mentioned whatever, until the 25th of October following. In this interval, we may presume that Edward Bruce, now formally crowned as king of Ireland, must have been employed in endeavouring to confirm and extend his authority among his new subjects, and to reduce them under some form of regular submission to his government. At
Oct. length, long subsequent to the loss of Carrickfergus, the English appeared with an army in
25. Oct. Ulster. A party of the Scots army was encountered and defeated by a detachment of this new Anglo-Irish army, and Allan Stewart, who appears to have been a chief commander among the Scots, was made prisoner. The circumstance of his being brought prisoner to Dublin on the 5th of December, is gravely narrated by the Irish annalist as a memorable

event*. This person is conjectured to have been the eldest son of Robert Stewart of Darnley and Crookston †. A. D. 1316. 25 Oct.

The English detachment, on this occasion, is said to have been commanded by Hugh lord Bisset and John Logan; and the loss of the Scots is said to have consisted of an hundred men with double arms, and two hundred with single arms, besides infantry ‡. The distinction employed on this occasion, is not very obvious; unless we understand by the former, heavily armed cuirassiers, or men-at-arms, and by the latter, a lighter armed species of cavalry. Lord Hailes was disposed to consider the name of Logan here mentioned as an error in transcription for Cogan, a common name in Ireland §. But Barbour repeatedly mentions leaders of the English party in Ireland of the name of Logan or Logane; and the coincidence between his work and the Irish annals, sufficiently justifies the accuracy of both. In this action, the principal loss of the Scots appears to have fallen upon their

* An. Hib. ap. Cambd.

† A. of S II. 77. Crawford, Hist. of Ho. of Stew. 72.

‡ An. Hib. ub. supr. § A. of S. II. 77.

A.D. 1316. 25 Oct. cavalry, of whom three hundred are said to have been slain *. Hence, Lord Hailes was disposed to believe that the defeated party of the Scots must have belonged to the army which was brought over by the King of Scots to the assistance of his brother; "because Edward Bruce could hardly be supposed to have had so large a force of cavalry remaining, after having so long carried on the war in an impoverished country †." But, besides that we shall presently have occasion to notice that the Scots army brought over by Robert, did certainly not take the field before the ensuing month of February, perhaps not until May 1317, it may be observed, that however much Ulster might then have been impoverished with regard to the food of man, there could have been no difficulty before the end of October, in procuring forage for six or eight hundred horses. The very circumstance of scarcity of food for the men of the army, by occasioning the cattle of the country to be slaughtered, would necessarily tend to increase the facility of maintaining the horses. So far from this detachment having belonged to the army of Robert, it is rather

* An. Hib. ub. supr. † A. of S. II. 77.

A. D. 1316. 25 Oct

to be supposed that his expedition to Ireland was for the express purpose of restoring his brothers affairs, weakened by that defeat. The place in which this action was fought is no where mentioned.

Hitherto the English government appears to have entirely confided the defence of Ireland to its own resources. But now, alarmed by the progress and long continuance of Edward Bruce in that country, and apparently dissatisfied with the conduct of Edmond Butler, Roger Mortimer of Wigmore was appointed guardian a nd lieutenant of Ireland, with unusually extensive powers *. Soon afterwards, orders were issued to provide twenty large ships for transporting the new lieutenant, with a large force of horse and foot, into Ireland †. And all Englishmen who held lands or tenements in Ireland, were commanded to be at Haverford on the Purification of the blessed Virgin, 2d February 1317, with their due proportion of military followers, to accompany Mortimer ‡.

20 Nov.

20 Dec.

1307. 4 Jan.

Another long interval occurs, during which the incidents in this war are neglected to be mentioned by the historians of either nation.

* Foed. Angl. III. 580. † Id. ib. 587. Id. ib. 596.

A. D. 1317. Finding his army considerably reduced, probably in consequence of the defeat of his cavalry, Edward Bruce again dispatched the earl of Moray from Carrickfergus into Scotland, to solicit the assistance of the king his brother*; and Robert magnanimously resolved to conduct a powerful reinforcement in person into Ireland. Accordingly, having committed the government of Scotland, during his absence, to the charge of the lord Walter Stewart, his son-in-law, assisted by the gallant Douglas to whom the defence of the borders seems to have been especially confided, he embarked with an army at Lochrian in Galloway, and landed in safety at Carrickfergus †. The exact date of this expedition into Ireland by the King of Scots, no where appears; but, from no circumstances being related respecting operations in the field previous to the month of February 1317, it may be presumed that this expedition took place in the end of 1316, or early in the year 1317.

In tracing the steps of the campaign of Robert I. in Ireland, the dates of the subsequent narrative have been regulated upon the excellent Annals of Scotland; from which it

* Barb. XVI. 7—14.

† Ford. XII. xxv. Barb. XVI. 35—38.

appears that the united Scots army began its operations in the month of February. Yet Barbour expressly says that they commenced their march in May; and assuredly they were more likely to find forage at that season than in February. The passage in Barbour, besides distinctly fixing the date, has much poetical beauty: A. D. 1317.

"This wes in the moneth of May,
Quhen byrdis sings on ilka * spray,
Melland † thair nots with seymly soune ‡,
For softnes off the suet sesoun:
And levys off the branches spreds,
And blomys § brycht besid thaim breds ||;
And feldis ar strowyt all with flouris,
Weill sawerand, of ser ¶ colouris,
And all thing worthis ** blyth and gay;
Quhen that this gud king tuk his way ††."

According to Barbour, Robert only halted three days at Carrickfergus after his disembarkation to refresh his army, and then set out, accompanied by his brother Edward, on

* Every. † Mingling. ‡ Sound.

§ Blooms or flourishings. || Wreaths, used as a verb.

¶ Many. ** Becomes.

†† Barbour, XVI. 63—72.

A. D. 1317. a progress through Ireland*. Could we be certain of the accuracy of this fundamental date in Barbour, the expedition of Robert must have taken place in the end of April or beginning of May 1317; and the dates, which are assigned to the subsequent operations of the campaign, would all require to be advanced about three months. We must, however, rest satisfied with such authority as remains for our information on this subject.

16 Feb. By forced marches, the King of Scots and his brother, at the head of twenty thousand men, eluded the vigilance of the Anglo-Irish army, which was posted on the borders of Ulster for the express purpose of endeavouring to prevent the Scots from penetrating into the province of Leinster; and the two royal brothers, passing through the county of Lowth, advanced to Slane†. Barbour no where mentions the strength of the Scots army in this campaign; but, in one passage, he expressly says, that the rear division, or main body, under the immediate command of Robert, fully amounted to five thousand brave and well-disciplined men‡. The van division

* Barbour, XVI. 52—55.

† An. Hib. ap. Cambd. ‡ Barbour, XVI. 107.

under Edward Bruce could hardly be more numerous; so that the Scots troops may have extended to about ten thousand. We must therefore suppose a force, nearly of equal numbers of native Irish to have accompanied the royal brothers on this expedition, to make up the whole number of twenty thousand ascribed to their army by Barbour. A. D. 1317.

In this progress, according to the Irish Annals, no engagement took place, as the Scots army anxiously avoided falling in with their enemies. Yet Barbour expressly asserts that the King of Scots fought with and defeated the English *. Lord Hailes, trusting to the Irish Annals, supposed that some slight skirmish may have been magnified by partial relators into a general action †. Yet, considering that an English army was then in the field, that Robert had come on purpose to retrieve the affairs of his brother with a powerful army, and that the Scots afterwards made a very extensive march through the south of Ireland, almost entirely unopposed in the field, the authority of Barbour seems more worthy of being depended upon than the meagre account in the Irish Annals.

* Barb. XVI. 151. † A. of S. II. 77.

A. D. 1317. During this march, according to Barbour, the Scots army was marshalled in two considerable divisions; of which the van was commanded by Edward Bruce, while the rear or main body was led by King Robert in person, assisted by the earl of Moray *. Persisting in his original error, that the earl of Ulster was lord lieutenant of Ireland, and still naming that nobleman de Clare instead of de Burgh, Barbour alleges that Ulster had collected an army of forty thousand men, to oppose the progress of the Scots; and had placed this numerous assemblage in an extensive wood or forest, through which the line of march of the Scots army necessarily led, proposing to attack their rear division, after the van should have passed the defile †. Barbour says that this large number was composed of burgesses and chevalry, hobilars and yeomanry ‡. With his usual heedless impetuosity and disregard of danger, Edward Bruce hurried on his division through the wood, entirely negligent of keeping up a communication with the rear division, and taking no precautions for examining the wood through which he marched §.

While Robert advanced in the defile, small parties of archers began to annoy his division;

* Barb. XVI, 55—60.

† Id. ib. 74—91.

‡ Id. ib. 79—81.

§ Id. ib. 96—98.

from which he very sagaciously inferred that these stragglers would not have advanced so near him, after the passage of the Scots van, unless supported by a powerful body at no great distance. He therefore issued strict orders that all the troops of his division should march in close order of battle, and that no person, on any pretence whatever, should quit the ranks. Two English yeomen having discharged their arrows against Sir Colin Campbell, the kings nephew, he rashly rode off at full speed, to avenge the insult, forgetful of the strict injunctions which had just been issued. The king, highly offended at this flagrant breach of discipline, immediately followed and struck his nephew so violently with his truncheon, that he was nearly beaten from his horse. "Such breach of orders, said the king, might occasion the loss of the whole army*." A. D. 1317.

Soon afterwards, the number of the hostile archers considerably increased, and the Scots archers were ordered to oppose them. In a little space, the rear division arrived at a plain, or large opening in the wood, in which the whole Anglo-Irish army was descried in

* Barb. XVI. 135.

A. D. 1317. order of battle, to the amount of forty thousand men, drawn up or marshalled in four divisions or lines. The value of the strict precautions which Robert had adopted in marching through the wood was now obvious, as his division was in perfect order of battle. Nothing daunted by the great superiority of numbers, although his division consisted only of five thousand men, Robert immediately advanced and attacked the enemy with so much bravery and skill, that after an obstinate resistance, the English were put to the rout, and driven from the field with great slaughter *.

After the defeat of the English, Edward Bruce rejoined his brother, and bitterly regreted his absence from the battle. To this the king replied: "It is all owing to your own folly; for you ought to have remembered that the van should always protect the rear †."

The account of this battle has been adopted from the relation of Barbour ‡. He asserts that it was the hardest fought of all the battles in the Irish war, in which nineteen

* Barb. XVI. 143—211. † Id. ib. 242—250.

‡ Id. ib. 63—254.

great victories were gained in less than three years*; adding, that Edward Bruce several times vanquished more than thirty thousand men, while he had only a fifth part of the number of his enemies; but that in this battle, Robert had to fight against the amazing odds of eight to one†. After the loss of this battle, the earl of Ulster fled to Dublin, throwing garrisons and provisions into all the fortified places of Ireland, to prevent them from falling into the hands of the Scots, whom he was no longer able to oppose in the field‡. A. D. 1317.

After this engagement, the Scots army advanced to Dublin by way of Drogheda, using more caution in their line of march, as the van now always preserved a due distance in advance of the main body§. In this march, they met with no enemy in the field, but were unable to make any impression upon the fortifications of Dublin. At this critical period, the intrepidity and public spirit of the citizens of Dublin saved the capital, and in all probability prevented the entire subversion of the

* Barb, XVI. 177—182. † Id. Ib. 183—190.
‡ Id. ib. 212—216. § Id. ib. 256—264.

A. D. 1317. English authority in Ireland. They burned down the suburbs of the city, which might have facilitated the approach of the Scots. They demolished a church, and employed its materials to repair and strengthen their walls, and they resolved to defend the city to the last extremity *. Even in a patriotic cause, the zeal of the populace can hardly ever be restrained within the bounds of law and reason: How infinitely careful, therefore, ought men of talents to be in exciting that ardent and almost unmanageable political engine, which ought never to be called into action, but as the very last resource, when all ordinary means are unavailing to preserve the commonweal. The citizens of Dublin suspected the earl of Ulster of favouring the Scots invaders, because he had been constrained to quit the field to them; and he was seized and committed to prison by the mayor. This commitment appears to have been equally illegal and extravagant, and devoid even of a colourable plea of necessity.

The sister of the earl of Ulster had indeed married the King of Scots; but the earl himself was bound by every tie of honour and

* An. Hib. ap. Cambd.

interest, to be the implacable enemy of the Scots, who had expelled him from his wide domains of Ulster, and whose ultimate success must have proved his irretrievable ruin *. A. D. 1317.

Besides the earl of Ulster, Gilbert and Hubert de Burgh, probably his relatives, and Henry le Clerk, had fallen under the suspicions of the inhabitants of Dublin, and were committed to prison. On this occasion, 23d April 1317, Mortimer was enjoined by the King of England to enquire into the cause of their confinement, and to make a report upon the subject †.

The King of Scots and his brother took possession of castle Cnoc, near Dublin, beyond the Phœnix-park; but despairing of success against Dublin itself, they turned away from its walls, and encamped at Leixlip on the banks of the Liffy. Having remained there during four days, they marched to Naas, and thence to Cullen in the county of Kildare. Their rapacious and unruly soldiers, more especially the undisciplined and half barbarous native Irish, who had joined the Scots party, ravaged the country without mercy, plundered and burned the religious houses and

23 Feb.

25 Feb.

12 Mar.

* Id. A. of S. II. 79. † Foed. Angl. III. 634.

A. D. 1317. 12 Mar.

churches on every side, and even violated the sepulchres of the dead, in quest of treasure, or of any thing that could administer to their cupidity. However strange it may now appear, it is yet certain, that so completely had the Scots subdued the minds of the English settlers in Ireland, that they were able to carry their arms unopposed in the field, as far as Limerick in the south of Ireland *.

Of the dates adopted by Lord Hailes, from the Annals of Ireland appended to the Britannia of Cambden, and which have been transferred from the Annals of Scotland to the margin of the present work, in defect of original authority for any other rule, it has been already observed, that Barbour expressly declares the march of the Scots army to have commenced from Carrickfergus in May; and it has been already alleged, that it appears more probable that the Scots army should not have attempted so extensive an expedition in the month of February, when no forage could be procured for their horses in a country already exhausted by the ravages of war. Yet, on the authority of the Foedera, already quoted, Ulster certainly was committed to custo-

* An. Hib. ap. Cambd. Barb. XVI. 265.

dy before the 23d of April, by which authentic circumstance, the dates of Barbour are proved erroneous. A. D. 1317.

A modern historian in relating the events of this campaign, says, "That the Scots dared not to besiege Dublin, and therefore turned back to Leixlip, which they burnt; and having plundered Naas, went back into the north; so that Robert did not appear to have performed any great matters in Ireland*." These are singular observations, to be hazarded by an author who quotes the Irish Annals as his authority. It cannot surely be called no great matters for the King of Scots, who so very recently had to fight his way from an apparently hopeless state of desperation, to the throne of Scotland, that he now braved the whole power of England in his own dominions, and had acquired so great ascendancy in arms and reputation, as to march triumphantly through almost the whole extent of Ireland, which he ravaged, plundered, and laid waste on every side.

It is not easy to determine what may have been the motives which induced the royal brothers to undertake so long and hazardous

* Tyrr. III. 268.

A. D. 1317. a march. It would be ridiculous to suppose that they led their army from Carrickfergus to Limerick by the way of Dublin, merely to brave the power of the English government, or to expose its weakness to the Irish subjects. It is not improbable that they were misled by the malcontents of Ulster, into a belief that they had only to show themselves to the native Irish, who would rise in myriads to join them against the English; and, by placing themselves at Limerick, in the center almost of Connaught and Munster, they gave an opportunity to the native chieftains of these provinces to repair to their revolutionary standard. In all ages, such has been the language of rebels, and similar disappointments have continually happened to their invading allies. Perhaps famine, which then raged in Ireland, constrained the Scots to roam into the remote parts of the island in quest of sustenance; while, by their licentious ravages, they carried with them and diffused the calamity which they endeavoured to avoid. By this measure, as a considerable number of their Ulster adherents certainly attended the march, and shared largely in the spoil, they husbanded, for a season, the scanty resources of the district which had submitted to the authority of Edward Bruce.

While the Scots lay encamped at Limerick, the English leaders recovered in some measure from their panic, and assembled a fresh army at Kilkenny, under the supreme command of the lord Edmond Butler, the deputy or lord lieutenant of Ireland. According to the Annals of Ireland, this army amounted to thirty thousand men, having the following commanders subordinate to the deputy; Thomas Fitz-John earl of Kildare, Richard Clare, Arnold Poer, Maurice Rochfort, and Thomas Fitz-Maurice. At the beginning of this campaign, on the same authority, the Scots army amounted to twenty thousand men; though we have already had occasion to mention that a full half of that number was probably composed of native Irish. The efficient strength of the Scots army was now most probably a good deal reduced, by the hardships and incidents of the war; and its apparent numbers must have been still farther considerably diminished, as it is well known that the loose Irish troops, better fitted for plunder than for fighting, were always anxious to return to their native fastnesses, to deposite any plunder they might have acquired during a successful inroad *.

A. D. 1317. 31 Mar.

* An. Hib. ap. Cambd.

A. D. 1317. 31 Mar. It is highly probable that the numbers in both armies are a good deal exaggerated in the Annals, or at least that the efficient strength of both is swelled by including the undisciplined bands of native Irish marauders, of little or no use in a day of battle: yet the exaggeration may be considered as proportional with regard to each; and if we take into account, the diminution in the Scots army, already mentioned, during three months service, we may fairly presume that it was now doubled in numbers by the Anglo-Irish army. But the Scots army was under the command of an experienced, courageous, and judicious leader, and entirely subordinate to his sole authority and direction, in which it reposed the most implicit confidence; while the English army, under a number of discordant and almost independant factious barons, seems to have paid little respect to the deputy of their despised sovereign, and to have lost all confidence in the valour and conduct of their leaders; who instead of acting, either to attack the enemy so greatly inferior to themselves in number, or endeavouring to cut off the retreat of the Scots into the north of Ireland, wasted a whole week in frivolous deli-

berations and disputatious councils of war, without being able to determine upon any plan of operations *. A. D. 1317. 31 Mar.

In this conjuncture, the celebrated Roger Mortimer, who afterwards acted so very notoriously in the subsequent revolution in England, landed in Ireland, as justiciary or deputy, appointed to supersede Butler, bringing with him a reinforcement of sixty men-at-arms, or knights. These, with their complement of four squires or lances to each knight, may be estimated at three hundred completely armed cavalry, or cuirassiers; an acquisition of no small moment in the then situation of Ireland. But it appears from the Fœdera, already quoted, that he had likewise a considerable force of infantry. Mortimer immediately transmitted peremptory orders to Butler, his predecessor in office, and to the other commanders of the Anglo-Irish army, forbidding them to hazard any attack upon the Scots before his own arrival at the army.

On the arrival of Mortimer at Kilkenny, he found the Scots, by forced marches and judiciously planned movements, had extricated themselves from the embarrassment of 7 April.

* An. Hib. ub. supr.

A. D. 1317. 7 April. their situation at Limerick; and, while the English leaders had vainly deliberated on the measures which ought to be pursued for conducting the war in Munster, their enemies had made good their retreat in safety into Kildare. On this intelligence, Mortimer dismissed the tumultuary army which he found assembled at Kilkenny. The Scots having halted for some days at Trim, to recover from the fatigues of their late rapid march, returned into Ulster. May. According to the Irish Annals, the return of the Scots into Ulster took place about the beginning of May; so that the expedition of the royal brothers, through almost the whole of Ireland, appears to have occupied nearly three months †. It has been already noticed that Barbour distinctly attributes the commencement of this expedition to the month of May. In this latter case, the return of the Scots into Ulster may be supposed to have taken place in August; and one grand object of the expedition may have been to subsist their own army at the expence of their enemies, until the return of harvest in Ulster, should have enabled them to find subsistence in their own district. Yet the date of the

† An. Hib. ub. supr.

expedition of Mortimer into Ireland, as ascertained beyond doubt by the writs in the Fœdera, clearly prove that Barbour must have been misinformed on this subject. A. D. 1317. May.

In this account of the expedition of the Scots army, Barbour says that, after penetrating to Limerick, which is erroneously called Kynerike, through Connaught, Meath, and Jereby? they returned back to Carrickfergus, through Munster, Leinster, and Ulster *.

While the Scots army was preparing to commence its march from Limerick, on its return towards Ulster, the following incident is said to have occurred; which, amid the ravages of barbarous warfare, conveys a most favourable trait of considerate humanity in the King of Scots. He happened to hear the outcries and lamentations of a woman, and was informed that one of the followers of the army had fallen in travail, and was grievously lamenting the hardship of her fate, in being deserted in that interesting and helpless situation. The King immediately gave orders to stop the march, and caused a tent to be

* Barb. XVI. 293—300.

A. D. 1317. May. pitched for the reception of the woman, commanding that other women should attend upon her delivery; and he gave special directions in what manner she might be safely conveyed along with the army *.

During this long but fruitless expedition, many of the Scots are said by Fordun to have perished of famine; and the survivors were reduced to the necessity of subsisting on horse flesh †. It is said in the Annals of Ireland, that the Irish who accompanied the Scots on this expedition, were guilty of the heinous sin of eating flesh in Lent without any necessity; and that they were severely punished next year, by being reduced to the horrible alternative of eating each other, or of perishing by famine; nay, it was reported that some of these miserable wretches had dug up dead bodies from their graves, and fed upon the flesh, which they boiled in the dead mens skulls ‡. The two stories by no means agree; since, if the Irish eat flesh unnecessarily during this expedition, their Scots allies could hardly have perished of famine; and it

* Barb. XVI. 270—292. † Ford. XII. xxv.

‡ An. Hib. ap. Cambd.

cannot be supposed that the famine of the year following should have consumed the spits and kettles. The sole transgression of the poor Irish in 1317, for which the annalist chuses to have them so severely punished in 1318, seems merely to have amounted to the crime of eating flesh in Lent, during the march, when they were unable to procure the food then permitted by the rules of the church; and, in his zeal to disuade others from being guilty of the same enormous offence, like a true Roman casuist, he is regardles of truth or consistency in his proofs and illustrations, providing that he can heighten the picture by sufficiently shocking embellishments.

A. D. 1317. May.

During the march of the Scots army from Limerick to Carrickfergus, no engagement of any importance occurred, as the two adverse armies seem never to have approached each other; but it would appear that some skirmishings took place, probably between the Irish adherents of both parties*. At this time numbers of the Irish chieftains entered into engagements of homage and obedience to Edward Bruce, as King of Ireland, and pro-

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* Barb. XVI. 304—308.

A. D. 1317. May. mised to obey him faithfully in all things. The King of Scotland having, as he believed, restored the affairs of his brother to good order, now considered it proper and necessary to return into his own dominions, taking his nephew the Earl of Moray along with him, but leaving the flower of the Scots army to support Edward in the possession of Ulster. According to Barbour, Edward Bruce might now easily have subdued the whole of Ireland, as the reputation of his arms had been completely established, and he was secure of the services of the whole native Irish in Ulster; but owing to his presumptuous adherence to his own opinions, and his rashness in fighting unnecessarily under circumstances of extreme disadvantage, he threw away his own life and the favourable opportunity which he possessed of establishing his authority in Ireland *.

Lord Hailes was disposed to consider the expedition of Robert into Ireland, as an impolitic waste of the military power and population of his own dominions; alleging that the sole glory reaped on this occasion consisted in having overrun Ireland at the ex-

* Barb. XVI. 314—330.

pence of the lives of many of his most faithful subjects *. But the object of the King of Scots in this expedition was of vastly more importance than the acquisition of useless glory. Besides the just claim of his gallant brother for assistance, which was due to gratitude and affection; by transferring the war into Ireland, he extended and established the reputation of his own government, while he distracted the attention of the feeble and factious councils of England; and he relieved his own kingdom from the evils inseparable from direct war, enabling it to recover, by the exercise of agricultural industry, from the miserable state of exhaustion to which it had been reduced during the long protracted struggle with England. In every war, the lives of many faithful subjects must be hazarded and expended; but, where it is practicable, a nation suffers infinitely less injury by transferring offensive operations into the enemies country, than by waging the most successful defensive war in its own territories.

A. D. 1317. May.

* A. of S. II. 81.

A. D. 1317. May. It is now proper to leave for a time the consideration of the remaining incidents of the war in Ireland, that we may attend to the events which occurred in Scotland during the absence of Robert.

CHAPTER XVII.

Transactions in Scotland, in 1317, during the absence of King Robert on his Expedition into Ireland.

The absence of the King of Scots in Ireland certainly afforded a favourable opportunity to the English for making a formidable invasion of Scotland, and even with great probability of success; more especially as an apparent reconciliation had taken place between Edward and the malcontent Lancastrian faction. Edward appears accordingly to have been fully inclined to take advantage of the combined favourable circumstances for this purpose, and issued orders for the assemblage of an army at Newcastle, about the end

A. D. 1317

20. Aug.

A.D. 1317. of September, in order to invade Scotland: But the earl of Lancaster, and the other great barons of the malcontent party, who formed the principal strength of the north of England, failed to appear at the appointed rendezvous; on which account the projected expedition was necessarily laid aside, and that part of the military array which had obeyed the orders of the sovereign was dismissed *. From this period likewise, as noticed in the foregoing chapter, the attention of Edward appears to have been almost entirely occupied in preparations for sending succours into Ireland to second the efforts of Mortimer: Yet, either his authority was so inadequate to the urgent emergency of the times, or such was the inefficiency of his finances for setting the feudal power of his kingdom in motion, that the whole energies of his government were engaged in these preparations from the month of November 1316, to near the end of March 1817. (!?)

While the King of Scots was engaged in Ireland, Sir James Douglas was left in charge of the middle borders, and successfully repelled several attempts of the English to disturb

* Foed. Angl. III. 568. Walsingh. 107.

their tranquillity. Though the writers of both nations have transmitted several interesting particulars of the transactions of these times, they have all omitted to mention any dates, so that we are under the necessity of relating them in an uncertain arrangement. A. D. 1317.

The Earl of Arundel seems at this time to have commanded on the eastern and middle march of England, opposite to the district under the charge of Douglas. Arundel, collecting a considerable body of troops, made an inroad into the forest of Jedburgh, where he was drawn by Douglas into an ambushment, by which the English, being forced to fight at a great disadvantage, were completely defeated. This affair is mentioned in the following terms in one of the English writers, "King Edwarde sente the erle of Arundel as "Capitayne yn to the marches of Scotlande, "where he soferid reproche by James Duglas "at Lincelly yn the forest of Jedworth, and "ther was Thomas of Richemont slayne*." The particulars of this inroad, as related by Barbour, are as follow†.

Douglas had just completed a splendid mansion for his own residence in the vale or haugh

* Scala. Chron. ap. Leland. Col. II. 547.

† Barb. xvi. 331—439.

A. D. 1317. of Lyntailé, probably Lint-haugh-lee or Lintalee near Jedburgh, and proposed to have given a feast to his military followers or feudal vassals, at the opening of his new dwelling. This circumstance had reached the knowledge of Arundel, the Warden of the opposite English marches, who was fully aware of the absence of the king of Scots, and hoped to surprise Douglas off his guard on occasion of the intended festivities. He therefore collected a considerable body of troops, said by Barbour to have amounted to ten thousand men; whom, besides their arms, he ordered to be provided with axes, as he proposed to have cut down the whole trees in the forest of Jedburgh, to deprive the Scots of that highly important defence.

By means of spies, whom he constantly employed to watch the motions of the English, Douglas got timely notice of the intentions and approach of Arundel, and secretly collected, in all haste, a considerable body of archers and about fifty men-at-arms. With these he took post in an extensive thicket, in the intended line of march of the English. The road or opening through the wood at this place was wide at the southern extremity, but became gradually narrower as it advan-

ced; till at the narrowest part, where the ambush was posted, it did not exceed a quoits pitch, or about twenty yards. He there placed the archers on one side of the pass, whom he secured by means of an entrenchment or abatis of trees, so interlaced as to be impenetrable by cavalry; and he took post with his men-at-arms on the other side of the pass, waiting patiently for the approach of the enemy. Not dreading any ambuscade, the English with improvident confidence advanced into the pass. From the narrowing of the glade or opening, their ranks became pressed together and confused; and, when entangled in the narrowest part, Douglas gave the signal for his archers to commence the engagement. By repeated vollies of arrows on their front ranks, and all along one flank, and by the rear continually pressing towards the narrow part of the pass, the English suffered considerable loss, and were thrown into great confusion. At this critical period Douglas left his concealment, with his small but select band of cavalry, and shouting out his enseigny or war cry, a Douglas! a Douglas! he made a desperate charge upon the surprised English. By repeated charges of the Scots cuirassiers, and by incessant vollies of arrows from the

A. D. 1317.

A. D. 1317. concealed archers, the English were thrown into inextricable confusion, and driven back from the glade with great slaughter. But, owing to the vast superiority in numbers of the enemy, Douglas did not venture to pursue them into the open country.

In the first brunt of this attack Richemont was slain by the hand of Douglas; who took, as a trophy of victory, a furred hat which he wore above his helmet. Barbour erroneously names this person Thomas Earl of Richmond, and supposes him to have commanded the English forces in this inroad. He seems to have been a foreigner, of the family of de Richemont, sovereign dukes of Britanny, who had chosen to exhibit his knightly prowess in the war between the Scots and English, and appears to have led the van on the present occasion. In confirmation of this supposition, in the Histoire de Bretagne par Lobineau, there is a portrait of Arthur de Richemont Duke of Britanny, having a furred hat similar to the one here described by Barbour *.

Having thus driven the English from the wood into the open country, where they ap-

* A. of S. II. 82.

pear to have encamped, or lain upon their arms for the night, Douglas received intelligence that a body of about three hundred men, commanded by a person named Ellies or Elyss, said to have been a clerk or churchman, and probably detached from the main body of Arundels army before the engagement, had penetrated by a different rout to Lintalee, of which they had taken possession. Douglas immediately hastened thither with all possible expedition, and found the English regaling themselves on the provisions which had been made ready for the house-warming or opening feast of that new mansion. As this body of the English had trusted to the atchievement of a certain victory by the main body under Arundel, they had set no watch for their security; and, being unexpectedly assailed by Douglas, they were mostly put to the sword without resistance. A small number, however, made their escape, and reported to Arundel the misfortune which had befallen their companions; on which, finding that he had to deal with so active and vigilant an enemy, and fearing that still greater evil might ensue when the power of the Scots borders had time to assemble, Arundel prudently

A. D. 1317.

A. D. 1317. retreated into his own country, and dismissed his troops.

Two other rencounters of some importance are mentioned as having taken place on the borders, in the course of this season, between Douglas and the English. In one of these, Edmond Kylaw, de Cailow, or de Cailaud, said to have been a knight of Gascony, and governor of Berwick, made an inroad into eastern Teviotdale, and plundered the country. While returning from his expedition through the Merse, loaded with much spoil, he was attacked and defeated by Douglas; himself and many of his Gascon followers slain, and all the spoil recovered. Barbour names this Gascon Knight de Cailow *: In Fordun he is called Kylaw †. Both these seem corrupted by spelling the French name according to the sound; and the true name may probably have been de Cailaud ‡. The particulars of this affair are related in the following manner by Barbour §.

Sir Edmund de Cailow or Cailaud, a knight of considerable property in Gascony, being appointed governor of Berwick, was anxious to signalise himself in the service of King Ed-

* Barb. XV. 321. † Ford. XII. xxv

‡ A. of S. II. 82. § Barb. XV. 315.—396

ward, and to enrich himself by plunder. For A. D. this purpose he collected a considerable military 1317. force, with which he plundered the eastern or lower part of Teviotdale and the whole plain country of the Merse. While Cailaud was on his return to Berwick, loaded with plunder, Sir Adam o' Gordon, who had now reconciled himself to the King of Scotland, hastened to Douglas, to whom he communicated such intelligence as induced him to attempt recovering the spoil, with a small number of troops gathered in haste. On approaching the troops of Cailaud, then returning towards Berwick, Douglas found them much more numerous than he expected, and greatly superior to those under his command, insomuch that he hesitated as to the safety of attacking them. But Cailaud, confident in his superiority, as his troops were double the number of the Scots, sent on his plunder towards Berwick by the peasants and servants who attended his party, and resolutely advanced to encounter the Scots. A severe conflict ensued, in which the Scots were hardly able for some time to withstand the number and bravery of their enemies. But Douglas, as was his custom when in straits, pressed forwards with all his might to encounter the leader of

A. D. 1317. the enemy, and at length slew Cailaud with his own hand. On this the English party lost heart, and fell into confusion, and were chased off the field with considerable slaughter. In consequence of this victory, the whole plunder which the English were carrying off was recovered by the Scots.

About this time, and apparently soon after the defeat and death of Cailaud, intelligence was conveyed to Douglas, that Sir Robert Neville, who then resided in Berwick, had boastingly declared that he would encounter him whenever his banner should be displayed in the neighbourhood of Berwick. This boast is said to have been made by Neville, on the report of the fugitives at Berwick who had escaped from the defeat of Cailaud, and who had very warmly praised the great prowess of Douglas. This threat was soon conveyed to Douglas, who considered it as a chivalric challenge, and immediately advanced into the neighbourhood of Berwick, where he displayed his banner as a counter challenge to Neville, calling upon him to fulfil his boast. And, farther to provoke Neville and the English to come forth to battle, he sent out a detachment to burn some villages within sight of the garrison.

Accordingly, Neville issued from Berwick, at the head of a body of troops more numerous than that of the Scots; and taking post on a hill, waited in hopes that the Scots might disperse in quest of forage. But Douglas having been rejoined by his detachment, advanced towards the English; and both commanders being equally eager for combat, an engagement soon ensued, in which the two leaders encountered and fought hand to hand. Neville was slain, and his party routed. Sir Ralph Neville, a principal leader of the English party, described as the baron of Hilton, and several other persons of consequence, were taken prisoners in the pursuit. After the successful event of this combat, Douglas foraged and plundered the whole country on the north side of the river Tweed, which still adhered to the English interest, burning all the villages and hamlets, and driving away all the cattle. He then returned into the forest of Jedburgh, where, according to his usual custom, he divided all the spoil among his followers, reserving no part to his own use. By this generous conduct he so strongly attached all his followers, that they always fought gallantly under his command*.

A. D. 1317.

* Barb. XV. 397--526.

A. D. 1317.

It is to be noticed, that both the affairs of Cailaud and Neville are said by Barbour to have taken place whilst Robert was employed in his expedition to the western islands in 1316. But in Fordun, though attributed to the year 1316, they are both said to have happened while the King was in Ireland, and consequently in the year 1317 *. In an English writer, the latter action with Neville is thus mentioned: "James Douglas, by treason of the marchers, discomfited the band of Englishmen at Berwicke, where Robert Neville was slain †."

Immediately after his account of the discomfiture of the Earl of Arundel near Lintalee, Barbour mentions a gallant exploit as having been performed by Sir John Sowlis, governor of Galloway, or warden of the western marches; who, with only fifty men, vanquished Sir Andrew Hardcla, having three hundred men under his command, in Eskdale. But, from the peculiar manner in which this event is brought forewards, it is hard to determine whether Barbour meant to say that it happened about the same period. He likewise declines entering into the particulars of this

* Ford. XII. xxv.

† Scal. Chron. ap. Lel. II. 547.

action; alleging that those who wish to learn its detail, may hear it sung every day among the young women of the country for their amusement*. A. D. 1317.

The inroad into the forest of Jedburgh by the earl of Arundel, the attempts of Cailaud and Neville to insult the middle march, and that of Hardcla against the west march of Scotland, may all have been connected with the abortive attempt to collect an army for the conquest of Scotland already mentioned; on purpose to employ that portion of the feudal troops which actually assembled at Newcastle in September 1316, and to divert the chagrin of Edward at the failure of his grand project of invasion and conquest. All these lesser expeditions are noticed by Fordun, as having been instituted on account of the fa-vourable apportunity afforded by the absence of King Robert in Ireland †; but their dates are no where mentioned, and cannot now be fixed with any tolerable precision.

At this period likewise, a slight attempt was made for the invasion of Scotland by sea; perhaps on purpose to employ the ships which

* Barb. XVI. 502—522. † Ford. XII. xxv.

A. D. 1317. had been ordered to attend and assist the operations of the intended grand army *. For this object, a party of English troops embarked in the Humber; whence they sailed up the Firth of Forth, proposing to ravage the peninsula of Fife. This English squadron came to anchor in Inverkeithing bay, whence the troops were immediately landed on the coast. According to Barbour, they landed between Inverkeithing and Dunfermline, to the westward of Inverkeithing; while, in Fordun, they are said to have land at Dunibirsel, which is to the eastward of Inverkeithing.

To oppose this invasion, about five hundred horsemen were hastily collected by the sheriff of Fife, says Fordun; while Barbour says the earl of Fife was likewise at their head. These troops marched for some time along the coast, always keeping abreast of the English squadron, and shewing a resolution to oppose the invaders. At length, however, the English pushed boldly to force a landing; and the Scots, intimidated by the numbers and good countenance of their enemies shamefully left the coast and retreated towards the interior.

* Barb. XVI. 535—674. Ford. XII. xxv.

In their cowardly progress, they were met by William Sinclair bishop of Dunkeld, who had a seat at Ouchtertool in that neighbourhood, where he happened then to reside, and who had hastily collected a body of sixty horse, with which he was advancing to assist in repelling the invaders. "Whether are you flying?" exclaimed the gallant bishop, to his retreating countrymen, "You deserve to have your "gilt spurs hacked from your heels." Then, throwing aside his ecclesiastical garments, and shewing himself completely armed, he seized a spear, calling out, "Who loves Scotland "and the King, follow me!" The courageous prelate, who, in the language of Barbour, was *rycht hardy, mekill, and stark;* very brave, large made, and strong, placed himself at the head of the Scots, whom he rallied and encouraged, by his exhortations and example, to exert themselves vigorously in defence of their country. He immediately led them against the enemy whom he found partly dispersed in search of plunder, and attacked them with the utmost promptitude and impetuosity. The English, in a great measure surprised, soon gave way, and endeavoured to reimbark with all possible expedition. Both

A. D. 1317.

A. D. 1317. Barbour and Fordun agree in saying that five hundred of the English were slain on this occasion, in the action and pursuit, besides a considerable number who were drowned in their eagerness to reimbark, in consequence of several of the boats being overset or sunk by overloading them.

On this occasion, Barbour relates the following instance of great bodily strength in one of the English fugitives. Being roughly handled on the beach by one of the pursuers, he turned upon the Scotsman, whom he seized by both arms, and, by main strength, lifted him from the ground and threw him into one of the boats.

Completely foiled in this their first attempt, the survivors of the English invaders immediately hoisted anchor, and returned to their own country. On the return of Robert to Scotland, soon after this affair, and being made acquainted with the intrepid conduct of the prelate on this occasion, he bestowed great praise upon him, and always called him his own bishop; and he was long honourably remembered by his countrymen under the appellation of the *Kings Bishop.*

From the confidence with which the King of Scots had quitted his own dominions, both on his expedition into the Hebudes, and on that into Ireland in aid of his brother, and from the conduct of the Lancastrian party in refusing to attend with their array at Newcastle, it may be presumed that some secret intelligence subsisted at this time between Robert and the malcontent English barons,

A. D. 1317.

CHAPTER XVIII.

From the Return of Robert from Ireland, in 1317; *to the Recovery of Berwick from the English, in* 1318.

A. D. 1317.

On his return from Ireland, Robert was welcomed by numerous demonstrations of universal joy. In the course of his progress through his own dominions, he was every where feasted by the nobility, and his faithful subjects of all ranks flocked from every quarter to enjoy a sight of their revered sovereign, expressing their loyalty to his person and government, and their admiration of his heroism, by continual acclamations and other public marks of attachment. All Scotland was now freed from the English yoke, excepting only the town and castle of Berwick. All the nobility had either submitted to the legitimate

authority of their excellent sovereign, or had been expelled from their possessions and forced into exile. The English had not only been compelled to evacuate their usurpation of Scotland, but had been braved by repeated and destructive inroads into their own territories; and, during more than two years, had suffered the disgrace of permanent invasion of their dominions in Ireland, which had been subjected to plunder, and to imminent danger of subversion and conquest*.

A. D. 1317.

Foiled in all his ill conducted attempts to reduce Scotland to obedience, despised, thwarted, and disobeyed, by a numerous and powerful party of his English subjects, and unable to defend his Irish dominions, Edward now again resorted to his mercenary auxiliary the Pope, and endeavoured ineffectually to intimidate and conquer Robert and Scotland, by the spiritual arms of bulls, excommunications, and interdicts. John XXII. who then occupied the papal throne at Avignon, readily entered into this new scheme of war fare, by which he and his ecclesiastical coun sellors were sure to derive profit. With this view, he issued a bull or pontifical ordinance, 1 Jan.

* Barb. XVII. 1—15.

A. D. 1317. 1 Jan. commanding the observance of a truce or cessation of arms for two years, under the penalty of excommunication, "between the "King of England and his beloved son the "noble lord Robert Bruce, carrying himself "as King of Scotland *." To enforce this scandalously partial exertion of supreme ecclesiastical authority, the Pope sent two cardinals into England, as his legates or pontifical ambassadors, Jocelin Fitz-Jean and Lucas de Flisco. In their public commission, these legates were commanded to enforce the observance of the papal truce; but, as if foreseeing that it would be resisted by the Scots, they were privately authorised to inflict the highest spiritual censures on Robert Bruce, and on any other persons whom they might think proper †. As if to allow sufficient time for the hostile princes to become acquainted with the will of the sovereign pontiff, and to
17 Mar. conform to his orders, the Pope soon afterwards exhorted Edward to make peace with the Scots. Of the same date, he issued a series of bulls on the subject; in one of which the two cardinals are empowered to enforce the

* Foed. Angl. III. 594. † Id. ib.

papal truce*: By the second, they are autho- A. D. 1317. 29 Mar.
rised to fulminate the spiritual censures against Robert Bruce, in the event of his not conforming to the papal truce†. Only a few days afterwards, as if prophetically conscious that the Scots would refuse submission to his arbitrary mandate, he issued one bull to excommunicate all the enemies of the King of England and the invaders of his dominions, and another, whereby Robert Bruce and his brother Edward were declared excommunicated persons‡. Another bull was fulminated against the Minorite friars, for preaching re- 10 April.
bellion in Ireland, and for instigating the native Irish to join the Scots invaders§.

Even so early as the first year of his reign, 1307, Edward began to secure a venal interest in the papal court, by granting pensions to some of the cardinals. In 1309, he gave pensions of fifty marks each, equal to about five hundred a-year of modern money, to a number of the cardinals. The brother and two nephews of the Pope had considerable pensions. Jocelyn, one of the cardinals employed on the present occasion, had a pen-

* Foed. Angl. III. 613. † Id. III. 614.

‡ Id. III. 619. 620. § Id. III. 630.

A. D. 1317. 10 April. sion of fifty marks, and besides enjoyed a considerable number of benefices in England *.

The date of the arrival of the cardinals in England is no where mentioned; but they seem to have commenced their operations, in conformity to their instructions from the Pope, and in concert with Edward, in the 16 July. month of July, as a safe conduct was then granted for messengers whom they meant to send into Scotland; and a few days afterwards they received a similar safe conduct for them- 27 July. selves on the same journey †. An authentic record still remains of the negociations of the cardinals on this occasion, by means of their messengers or nuncios; which, besides clearly evincing the criminal and venal partiality of the papal court in favour of Edward, exhibits an interesting display of the calm, judicious, and wise conduct of the King of Scots, in an extremely delicate and trying emergency. In his intercourse with the nuncios from the cardinals, while Robert shewed the utmost respect for the holy father as head of the church, he firmly maintained the imperial dignity of his crown and the independance of his country, by positively re-

* Foed. Angl. III. 12. 129. 677. † Id. III. 655. 657.

fusing to submit either of these to the pretended temporal authority of the Pope. Though himself an ecclesiastic, Barbour seems to have contemplated this subject with the spirit of a Scots patriot, indignant at the base attempt of the Pope to oppress the liberties of Scotland; and either not inclining or not daring to speak with freedom of the sinister politics of the papal court, he omits all mention of these transactions, so disgraceful for the head of the church *. The account of the negociations of the nuncios with the King of Scots, as contained in a report from the cardinals to the Pope, on this subject, is contained in the following abstract of that curious dispatch, dated 7th September 1317, from Durham †. A. D. 1317. 27 July.

"Behold, holy father and lord, the information received from the messengers whom we sent into Scotland; who prudently resolved, after their audience with the lord Robert Bruce, to whom they propounded what we had given them in charge, that one of them should return to us as quickly as possible, while the other should prosecute his journey at leisure. Accordingly, the bishop of Corbeil, 7 Sept.

* A. of S. II. 84. † Foed. Angl. III. 661 et sequ.

A. D. 1317. 7 Sept. having very quickly arrived here, gave us the following report of their proceedings."

"After much difficulty, he and Master Aumery procured a safe conduct to enter Scotland, and were admitted to the presence of the said lord Robert, who received them very graciously, and patiently listened to those things which we had charged them to propose to him and his council: After which, having judiciously consulted with his counsellors upon their proposals, he made answer, That he earnestly desired to procure a good, firm, and perpetual peace, either through our mediation, or by any other means; but that he could not definitively resolve upon admitting us to an interview, until he had convened his whole council and the other barons of his kingdom, without whose advice and assent he could not determine to confer with us, while we only addressed him as governor of Scotland, and withheld the title of king. And, as his barons and the members of his council were dispersed in many distant places, he could not convene them and give us a positive answer, whether he could confer with us while we continued only to call him the governor of Scotland, until the ensuing festival

of St Michael, 29th September. He said farther, that he could not answer our letters, because we had not directed them to him as king, and there were several persons named Robert Bruce, besides himself, who participated with the other barons of the land, in the government of Scotland. Wherefore, he reverently received the patent letters of your holiness, exhorting to peace, which he caused to be read to him; and likewise our open letters on the same subject. But, because these did not give him the title of king, he refused to give any answer; neither would he permit our sealed letters to be opened, on account of the same omission." A. D. 1317. 7 Sept.

"The Scots counsellors who attended him said to our messengers, that the lord Robert would have joyfully received us, and would have readily entered into treaty for a good and lasting peace, if we had written to him as king. On account of that omission, your messenger, Jacobinus, who carried letters announcing your coronation to the Scots prelates, had been refused admission into Scotland. And when our messengers carried him along with them, and earnestly requested the lord Robert to grant him permission to pro-

A. D. 1317. 7 Sept. ceed on his journey, he gave no answer, but, by a certain change of his countenance, silently refused their request; and they were informed by certain secretaries of said lord Robert, that this refusal was owing to the omission of his royal title."

"While our said messengers were in the presence of the lord Robert, they prudently and reasonably endeavoured to excuse the tenor of our letters, according to our instructions; saying, among other things, "That it "was not customary for his holy mother, the "church, to say or do any thing during a "controversy, which might prejudice either "of the parties." On which, pointing to the letters of your holiness, he answered, "Since "my father the Pope, and my mother the "church, are unwilling to prejudice either "party, by giving me the title of King, they "ought not to prejudice me, during the con-"troversy, by refusing that title; as I both "hold possession of the kingdom, receive the "title of King from all its inhabitants, and "am addressed under that title by other "princes. But my spiritual parents assume an "evident partiality among their sons. Had "you presumed to offer letters so addressed,

"to other kings, you might, perhaps, have "been otherwise answered." All this was said in an affable manner, and with a pleasant countenance, evincing all due reverence for your holiness and the church." A. D. 1317. 7. Sept.

"According to our instructions, our messengers then required him to cease from hostilities in the meantime. To this he said, that he could not agree without the advice and assent of his barons; the more especially because the English, as he asserted, daily committed numerous hostilities in various parts of Scotland."

"From this report, it will appear that we cannot treat any farther respecting peace with the Scots, until the festival of St Michael; and, even then, our messengers believe that we shall receive no answer while the royal title is withheld; as the Scots are convinced that this has been done through the influence of the English and in contempt of the people of Scotland, and pretend to have received certain information to that effect from the papal court. Our messengers, therefore, are of opinion, that no letters of procuration from us can be sent into Scotland, or any thing else

A. D. 1317. 7 Sept.

in reference to these procurations, unless the title of king be conceded."

"It remains, therefore, that the wisdom of your holiness should command what we ought farther to do in this affair; lest, from our ignorance, we neglect or do any thing by which so important an affair may suffer injury."

About this period, but whether before or after the transmission of this report to the pope, the cardinals were robbed and stript naked by a numerous band of robbers, a few miles from Darlington, probably on their way to Durham, as the letter from Edward to the pope on this occasion is dated on the 10th of September*. This incident is thus related in Scala Chronica; "Gilbert Middleton, because Edward had arrested his cousin Adam Swinburn, who had spoken sharply to the king of the affairs of the borders, made a riot or insurrection in the north, and robbed two cardinals. He likewise seized the bishop of Durham and his brother; and by the aid of other marchers took all the castles in Northumberland, except Alnwick, Bamburgh, and Norham, and did much harm in Cleveland. Some time

* Foed. Angl. III. 663

afterwards, Middleton was made prisoner at his own castle of Mitford, and was hanged, drawn, and quartered, at London*." In another ancient account the robbery is said to have been on Wiglesden moor †. A. D. 1317. 20 Dec.

It would appear that great numbers of the people of England, especially in the northern counties, had thrown off all obedience to the laws and government, perhaps incited to rapine by the horrors of the late terrible famine. A party of those freebooters, under the command of Middleton and Selby, who robbed the cardinals and their attendants, are named *Salvadores* by one of the ancient English writers, probably a translation into the monkish Latin of that age of the appellation by which they had chosen to distinguish their band ‡.

In the foregoing negociation, the messengers appear to have been kept in the dark respecting the secret intentions of the pope; but the cardinals were fully instructed, and, though they endeavoured to conceal the criminal partiality of his holiness both from the King of Scots and their own messengers, by

* Lel. Col. II. 548. † Id. II. 462.

‡ Thorkelowe, 40.

A. D. 1317. Sept.

holding out a shallow pretence of acting as impartial umpires of the difference with England, they must have foreseen that their propositions would be rejected, as all the ulterior measures had been previously determined upon and prepared in the papal consistory. Immediately, therefore, on receiving intelligence of the rejection of their overtures, and notwithstanding their pretended appeal to the papal wisdom for farther instructions, they proceeded to put into execution those additional measures which had been obviously preconcerted for compelling the Scots to submit to the domination of England, by the terrors of the papal anathemas. As a previous step, on which to ground the fulmination of excommunication and interdict for contumacy, they resolved to get the papal truce of two years proclaimed in Scotland, being well convinced that Robert would refuse to comply with its injunctions. In this delicate and hazardous enterprise, they employed the agency of Adam Newton, father guardian of the monastery of friars Minorites in Berwick. Besides the bull for enforcing the observance of the papal truce, and other necessary documents connected with that measure, Newton was entrusted with letters from the cardinals to many of the

leading Scots clergy, and in particular to the bishop of St Andrews, charging them to concur with, and to enforce the authority of the pope. As has been already done in regard to the former messengers, the substance of the report of Newton to the cardinals on this occasion is given in the following abstract addressed by Newton to the cardinals *.

A. D. 1317. Sept.

"I humbly and devoutly received your orders, respecting the affairs of the holy Roman church and the states of England and Scotland, which I have used my best endeavours carefully and faithfully to execute in the following manner."

20 Dec.

"In the first place, I arrived safe at Berwick, with Gods assistance, but not without difficulty and tribulation, having with me the papal bulls, and your processes respecting the truce, and your procuratory letters, which you had enjoined me to communicate without delay to the lord Robert Bruce, bearing himself to be King of Scotland, and to the lord bishop of St Andrews and the other bishops and abbots of Scotland. About a week ago, I proceeded from Berwick to Old Cambus, near which place the lord Robert lay conceal-

* Foed. Angl. III. 683.

A. D. 1317. 20 Dec. ed with his accomplices, labouring night and day in the construction of various machines, intended for the siege and destruction of Berwick. But I cautiously left all the bulls, letters, and other papers with which you had entrusted me, in safety at Berwick, till I should receive a safe conduct from the said lord Robert; which I received for myself and the papers from the lord Alexander Seton, seneschal to the said lord Robert, and master John de Montonforth his clerk."

"I then went back to Berwick for my papers and credentials, and returned again to Old Cambus: But was refused any personal intercourse with the said lord Robert, and was desired to deliver all my letters to the foresaid seneschal and clerk, that they might be shewn to the said lord Robert. And because he was not named as King of Scotland, all the bulls and letters were contemptuously returned to me; and a message was delivered me from the said lord Robert, declaring that he would not acquiesce in the bulls or in your processes, unless called King of Scotland, nor until he had acquired possession of Berwick. On this, seeing that I was environed with danger, I was greatly troubled how I might preserve the papers and my own mortal life. Be-

fore the foresaid persons, and a multitude of others who were gathered around me, I expressly and publicly proclaimed, that a two years truce was established and ordained between England and Scotland, by the authority of the supreme pontif; but which proclamation they all despised."

A. D. 1317. 20 Dec.

"I next earnestly intreated the foresaid persons, in the name of the Lord, that in charity and compassion, and from reverence for the holy see, they would give me a safe conduct to pass farther into Scotland to some of the prelates of that county to carry your orders into execution, or at least for my safe return to Berwick. But they refused to grant either, and dismissed me desolate on all sides, with express orders to get out of the country in all haste. I was therefore reluctantly constrained to measure back my steps towards Berwick. In my way thither I was encountered by four armed ruffians, who robbed and dispoiled me of all my papers and of my garments, stripping me entirely naked. It is rumoured, that the lord Robert and his accomplices, who instigated this outrage, now have the papers which were taken from me."

A. D. 1317. 20 Dec.

"What procedure ought now to be taken with these contumacious rebels and despisers of the apostolic authority, it becomes not me even to conceive. But I declare before God, that I am still ready as heretofore to labour without ceasing in whatever you may please to command."

Although not mentioned by Newton, in the foregoing account of the treatment he experienced, it is asserted in a papal bull issued in June of the subsequent year, that the Scots robbers had impiously torn and disfigured the bull with which he had been entrusted*. This could hardly have been true, as Newton, in the first moment of severe irritation, cannot be supposed to have softened or suppressed any part of the conduct of his despoilers. An exaggeration, or a crime, more or less, was never scrupled in the Roman chancery, when it could serve to corroborate an argument. In a previous bull, dated 29th May 1318, the outrage, of which Newton arrogates the sole honour to himself, is expressly said to have been committed against *two* minorite friars†.

In the whole series of this negociation with the King of Scots, of which the truce was

* Foed. Angl. III. 711. † III. ib. 707.

only a mere pretence, the Pope obviously appears as the servile tool of Edwards weak policy. Edward might have originally expected the Scots to submit to the injunctions of the Pope; but the probability is that the whole scene was projected by himself, or by the papal court at his instigation, as a gloss to justify the ulterior measure of excommunication and interdict, from which he seems to have expected very important consequences. All the measures of this exceedingly weak, yet obstinately ambitious prince, were similarly trifling, insidious, and incompetent, and ultimately useless and injurious. The King of Scots, confident in the well merited attachment of his subjects, and aided by the national prelates in maintaining the independance of their common country, while he secretly despised both the King of England and the Pope, always judiciously preserved the appearance of the most profound reverence for the holy father, yet steadily asserted his own dignity and the liberties of his kingdom.

A. D. 1317. 20 Dec.

Unwilling to interrupt the continuity of the foregoing recital of the various steps respecting the papal truce, it has been omitted to mention in its proper place, that Edward,

A. D. 1317, 20 Dec. on the 31st January 1317, made application to the government of Genoa, termed the Abati Potestati and Capitanes, for permission to Leonardo di Pessano to fit out five war gallies, with armed men, arms, victuals, and all other necessaries, to serve him in his war against Scotland *.

* Foed. Angl. III. 604.

CHAPTER XIX.

The reduction of Berwick by the Scots in the year 1318.

In the preceding chapter, we have seen that the unfortunate monk, who had been sent by the cardinals to make a last attempt to persuade the King of Scots to submit to the papal truce, found him occupied in the construction of machines which he meant to have employed in besieging Berwick. This purpose, however, of attempting the reduction of that important place by force of arms was laid aside, owing to some reason which has not been handed down, but perhaps because the Scots public finances were unable to support a protracted siege and a sufficient covering army so immediately on the borders A. D. 1318.

A. D. 1318.

of England. At no period, indeed, does it appear that Scotland was able to carry on consecutive warlike operations for any length of time, unless where the army employed could support itself by means of plunder. But Berwick was soon afterwards recovered, through the treachery of one of its inhabitants, in the following manner, as minutely related by Barbour*.

There dwelt at this time in Berwick, a burgess, or one of the garrison, named Syme or Simon Spalding; who, having received some ill treatment from the governor, Roger Horsely, determined upon being revenged by betraying the place to the Scots. In pursuance of this resolution, he wrote to a Scots nobleman, whose relation he is said to have married, offering that, on a certain specified night, when he was to have charge of guarding a particular part of the walls, which he described as being low and easily ascendible by scaling ladders, he would be ready to admit the Scots into the town.

Barbour expressly names the Scots nobleman with whom Spalding corresponded on this occasion the Marshall. But Lord Hailes

* Barbour, XVII. 16—200.

very ingeniously conjectured that title to have been a mistake or corruption, in place of the singular and unusual term of March-Earl, as intended to designate Patrick earl of March, who had now abandoned the English interests, and may have exerted himself in forwarding this attempt to recover Berwick, on purpose to conciliate the favour of his sovereign, whom he had long and strenuously opposed. Our excellent annalist gave the following reasons for adopting this opinion, which cannot be better expressed than in his own words. A. D. 1318.

"1st, When Barbour has occasion to mention the Marshall of Scotland, as in describing the battle of Bannockburn, he calls him Sir Robert Keith. 2d, The earl of March, whose possessions extended to the eastern borders of England, often resided in the neighbourhood of Berwick, and his power or military retainers all lay in that quarter of Scotland; and consequently he could more easily hold intercourse with Spalding than Keith could, who had no residence, estates, or military power in those parts. 3d, Barbour says, that the nobleman with whom Spalding corresponded on this occasion, and whom he terms the Marshall, was at the same time Sheriff of Lothian; an office which seems bet-

A. D. 1318. ter fitted for the earl of March than for the Marshall of Scotland. 4th, In Scala Chron. ap. Leland, it is expressly said, that "James "Duglas, by help of Patrike counte of March, "and Peter Spalding of Berwike, got Ber- "wike owt of the Englishmennes handes*."

Whoever this Scots lord may have been, whether the Marshall or the earl of March, he did not venture of himself to engage in an enterprise of so much importance; perhaps afraid to commit his sovereign and country in the peculiar circumstances of the lately notified papal truce. He therefore immediately communicated the proposal of Spalding to the King of Scots. "You did well, said the King, in making me your confident; for if you had told this either to Randolph or Douglas, you would have offended the one whom you did not trust: Both of them, however, shall aid you in executing this enterprise †." Accordingly, he was commanded to repair secretly with a body of troops to Dunse park, about fourteen miles from Berwick, on the evening fixed upon by Spalding: And the King transmitted orders to Randolph and

* A. of S. II. 88. Leland, II. 547.

† Barb. XVII. 52—68.

Douglas to repair, each with a chosen band, to the appointed rendezvous. Dunse seems to have been chosen on this occasion, that the assemblage of troops might have more the appearance of being intended for an expedition into England across the Tweed, than for an attack upon Berwick. The date of the recapture of Berwick is fixed by Fordun on the fifth of the kalends of April, 28th March 1318; but whether this refers to the night of the concerted surprisal or the day following does not clearly appear*. A. D. 1318.

The troops, thus cautiously assembled, marched to Berwick on the night which had been concerted by Spalding. Having reached the appointed part of the walls, near what is still known by the name of the *Cow-port*, they affixed their ladders; and, assisted by Spalding, scaled the walls undiscovered and unopposed, and in a few hours were masters of the town. The chief part of the troops were ordered to remain in firm array as a body of reserve, while the rest were detached in several small parties through the streets, to slay or make prisoners of all whom they might meet in arms. As soon as day-light 28 Mar.

* Ford. XII. xxxvii.

A. D. 1318. 28 Mar. appeared, great numbers of the reserve deserted their ranks and dispersed in search of plunder; but fortunately the garrison, though more numerous than the assailants, were unable to assemble in any solid body, and, being separately encountered in small parties, were easily overcome. Some were slain in these desultory encounters, many got into the castle, some escaped over the walls, and others were made prisoners *.

While the greater part of the Scots troops were thus dispersed and employed in plundering the town, and in occasional rencounters with detached portions of the English garrison, Murray and Douglas had cautiously kept together a small but chosen band of troops in reserve; and the event shewed the wisdom of this necessary precaution. It was noticed about mid-day by the garrison of the castle, now considerably strengthened by such of the men as had been able to escape into it from town, that the number of the Scots who remained in a body was inconsiderable. The English, therefore, made a desperate sally from the castle, in confident hope of being easily able to defeat the reserve, and to drive the

* Barb. XVII. 83—128.

assailants from the town. But they were courageously received by the Scots, and repulsed with great slaughter, chiefly by the extraordinary valour of Sir William Keith of Galston, a new made knight, who distinguished himself exceedingly in this first display of his arms. Being thus disappointed and severely handled, they retreated into the castle, and secured their gate with great haste*. A. D. 1318. 28 Mar.

According to the accounts of this event in the English historians, the Scots, on occasion of the capture of Berwick, gave quarter to all who submitted †; while Barbour relates that many of the garrison were slain in the streets, besides those who lost their lives in the sally from the castle: These relations, however, are by no means inconsistent, as the Scots would assuredly use their utmost endeavours to slay all who resisted them in arms, and might give quarter to such of the garrison as submitted to their mercy.

Having received intelligence of the prosperous result of the enterprise against Ber-

* Barb. xvii. 129—170.

† A. Murim. 53. Tho. de la More, 594.

A. D. 1318. 28 Mar. wick, the King of Scots hastened thither, collecting the forces of the forest of Jedburgh, Teviotdale, and the Merse on his way, to prevent the English garrisons and barons on the south side of the Tweed from attempting to form any expedition for the recovery of Berwick, until he might have time to reduce the castle, and to take efficient measures for preserving this important acquisition. After five days siege, the garrison of the castle surrendered on the sixth day; and was permitted to go into England*. It does not clearly appear whether the castle surrendered on the sixth day after the seizure of the town; in which case this latter event must have been on the 3d April; or, if it happened on the sixth day after the arrival of the king at Berwick, the date of which is no where mentioned. The former is assuredly the more probable supposition; as it appears from Barbour, that the castle had surrendered before the arrival of Robert, who seems on this occasion to have brought a considerable army along with him. The king and all his lords were conveniently lodged within the castle,

3 April.

* Barb. XVII. 178—200.

while the remainder of the assemblage were quartered in the town*. A.D. 1318. 23 April.

Instead of demolishing the defences of the town and castle of Berwick, as he had hitherto done with all or most of the fortresses which he had recovered, Robert and his council agreed to preserve both, and to provide a sufficient garrison, well supplied with provisions, and with every species of warlike apparatus and engines, to enable them to stand a siege; and Walter, the High Stewart of Scotland, son-in-law to the King, was appointed to take the command of the town, castle, and dungeon, or keep †.

The date, even of the year in which Berwick was recovered from the English, has been very strangely mistaken by historians. It is placed in 1315 by Buchanan ‡. In 1319 by Murimuth and Walsingham §. Likewise, respecting the continuance of the siege of the castle after the reduction of the town, the English historians differ very materially from the account already given from Barbour. In the Scala Chron. it is said, "That the castle

* Barb. XVII. 201—209. † Id. ib. 210—224.

‡ Hist. of Scot. viii. 146. § A. Murim. 52. Walsingh. 111.

A. D. 1318. April. "kept a xi wekes after, and then, for lak of "vitail and rescue, was gyven up. Ther Roger "Horseley, the capitayn of the castel for the "Englischmen, lost one of his yes*. But the circumstances of the subsequent invasion of England in May are sufficient to invalidate this idea of the siege having continued down to the 13th June; and strongly corroborate the accuracy of the account handed down to us by Barbour†.

Although the observance of the papal truce had been refused by the King of Scots, as mentioned in the foregoing chapter, yet Edward ostentatiously appointed commissioners on his part, to enforce its provisions‡. And no sooner did the intelligence of the surprisal of Berwick reach the papal court, than a new bull was issued, 29th May 1318, excommunicating Robert for that infraction of the truce proclaimed by his holiness, and on account of the spoliation of father Newton §. And the same sentence was again promulgated on the 6th June, with the farther aggravation, that the papal bulls found on Newton had been torn ¶.

* Scal. Chron. ap. Leland, II. 547. † A. of S. II. 89.
‡ Foed. Angl. 698. § Id. III. 707. ¶ Id. ib. 710.

By the recovery of Berwick, the whole dominions of Scotland were now restored to their ancient independence, and were reduced under the government of their native legitimate sovereign. The kingdom of Scotland appears to have been then exactly of the same extent, and divided very nearly into the same shires as now; except that the northern islands of Shetland and Orkney then remained under the dominion or superiority of the crown of Norway; that the isle of Man was then dependent upon Scotland; and that Berwick, now recovered, was afterwards wrested from the Scots, and still remains an anomalous jurisdiction attached to England. It is not necessary to enter into a minute discussion of the topography of Scotland at this period, of which no direct record now remains: But as we still have an authentic account of the principal divisions of Scotland, as established under the usurped domination of Edward I. in 1305, only thirteen years previous to the entire restoration of its independance by the recovery of Berwick, and on which we may safely rely; it may be proper to give here a condensed view of that political division of the country, in which no violent change from

A. D. 1318. April.

A. D. 1318. its former distribution seems to have been attempted*.

In the list of the sheriffdoms, or divisions of territory to which sheriffs were appointed at the settlement of Scotland in 1305, there is no very important difference from the presently existing distribution, after a lapse of five hundred years. These shires were then mostly named, as now, from their chief towns, or head boroughs; and the following are enumerated. Berwick, Edinburgh, Haddington, Linlithgow, Peebles, Selkirk, Dumfries, Wigton, Air, Lanerk, Dumbarton, Stirling, Clackmannan, Kinross, Fife, *Auchterarder*, Perth, Forfar, Kincardine, Aberdeen, Banff, Elgin, Forres and Nairn, Inverness, Cromarty.

In this catalogue no mention is made of Roxburghshire or Teviotdale. It is probable that a considerable part of the country, which now constitutes this shire, was then under the jurisdiction of the sheriff of Selkirk; while the remainder formed the constabularies of Jedburgh and Roxburgh, or Rokesburghe. This latter district seems anciently to have been included in Berwickshire, or the Merse; as one of the old names of Roxburgh castle

* Ryley, 504.

was Marchmount. The modern shire of Renfrew is likewise omitted: but both this district and the forest of Paisley appear to have been included, at that period, in the shire of Lanerk; as we find Houston, Fingulston, or Finlyston, and other places, which are now belonging to Renfrewshire, distinctly described as being then in Lanerkshire *. Auchterarder, which is now included in Perthshire, is particularized in the record of 1305, as a separate shire, though no sheriff is mentioned as being appointed to it; probably because the small district to which Auchterarder was the chief town, was under the hereditary jurisdiction of the earl of Strathern. Ross-shire is likewise omitted in the list, because that extensive tract of country was then included in the jurisdiction of the sheriff of Inverness. Argyle, Caithness, and Sutherland, are all omitted in this ancient list of the Scots shires; probably because the remote districts had not been effectually reduced under the English dominion †. Argyle and Lorne, indeed, with Bute and the Western islands, or Hebudes, were then in a state of half independence un- A. D. 1318.

* Prynne, III. 657, 663.

† A. of S. I. 314.

A. D. 1318.

der the jurisdiction of the lord of Lorn; and may have all been omitted from the catalogue on that account.

For the better administration of justice, the territory of Scotland was distributed by Edward I. in 1305, into four provinces, or circuits; to each of which two justiciaries, or supreme judges, were appointed, for holding courts at stated periods. And, in each province, one of these judges appears to have been an Englishman and the other a Scotsman. These districts were: 1. *Loeneys*, probably a corrupted word, and the same which is now written Lothian, and usually pronounced Lowthen, or Lowden, and mostly applied in the plural number, the *Lowdens*. This province included all the country to the south of the Firths of Forth and Clyde, to the borders of England, except what was contained in the province of Galloway; viz. the shires of Edinburgh, Haddington, Linlithgow, Berwick, Teviotdale, Selkirk, Peebles, Renfrew, and Lanerk. 2. *Galloway*, or the south-western counties, comprehending the shire of Wigton, the stewartry of Kirkcudbright, the shire of Dumfries, including Nithsdale and Annandale, and the shire of Air divided into its three districts of Kyle, Carrick,

and Cunningham. 3. That portion of Scotland which is bounded on the south by the Firths of Forth and Clyde, and by the Grampian mountains on the west and north, having the British or German ocean on the east. 4. The remainder of Scotland, beyond the Grampian mountains, comprehending the whole West and North highlands. These two latter provinces do not appear to have had any appropriate names. The former probably embraced the extent of the ancient Pictish kingdom, and of the Roman province of Vespasiana*. The latter, the original kingdom of the Scots, or Albany. A. D. 1318.

To the shires in the foregoing distribution of the territory of Scotland, the modern term of counties cannot be aptly applied; as the small number of earldoms, which were then erected in Scotland, were by no means commensurate with the then existing shires; except in so far that there then were, 1. an earl of Fife; 2. an earl of Lenox, or of the shire now called Dumbarton; 3. an earl of Strathern, equivalent with the then shire of Auchterarder, now included in the very extensive shire of Perth; 4. an earl of Murray, or Moray, whose

* Richard. Corin.

A. D. 1318. territories were in the shire of Elgin; and, 5. an earl of Sutherland, which shire is not included in the foregoing list. The other Scots earls then were, 6. of Dunbar or March; 7. Carrick; 8. Menteith; 9. Buchan; 10. Marr; 11. Athol; 12. Ross; 13. Caithness and Orkney. The Scots earl of Caithness having acquired the succession to the Norwegian earldom of Orkney.

Besides these distributions of the territory of Scotland into shires and earldoms, there were a great number of lordships or great baronies, an exact enumeration of which, in reference to the particular period now under review, is extremely difficult, if not utterly impossible, owing to the great defalcation of ancient records; and because, in the lists of the lords who attended the Scots parliaments in this reign, many of the great barons are not distinguished by the titles of their territories, but by their family names. We have, indeed, a considerable number of these baronies particularized: As Annandale, Galloway, Bonkil, Argyle, Lorn, Renfrew, Badenoch, &c. One considerable district, that of Lauderdale, now included in the shire of Berwick, was long called the bailiery of Lauder. This lordship had fallen to the family which ruled over

Galloway, and was probably administered by a subordinate officer, called bailie or bailif. A.D. 1318.

Many of the great baronies, or Lordships, are still retained in the topography of Scotland, and are distinguished on our best maps. It does not seem necessary that these should be enumerated; but the subdivisions of the shire of Argyle may be mentioned as an example: These are Argyle proper, Lorn, Knapdale, Kintire, Morvern, Glenorchy, Ardnamurchan, Sunart, Appin, Benediraloch, Muckearn, and Ardgowar; besides the large islands of Mull, Isla, Jura, and Lismore; all of which seem to have been lordships; the last of them forming the peculiar domain of the bishop of the West highlands.

Numbers of the lords of parliament were then only known, or are only mentioned in the records, by their titles of office, by the appellations of their chief residences, or by a kind of family namse: As the Stewart, the Butler, the Durward, the Marshal, the Constable; which appear to have been all hereditary: Graham, Randolph, Umphravile, Fraser, Sinclair, or St Clair, Olipant, Oliphant, or Olifart, Fenton, Ramsay, Mowat, or Monthaud, Campbell, Cameron, Bruce, Baliol, Cumyn,

A. D. 1318. Muschet, or Montfichet; de la Hay or Hay, of Ardrossan, de Moravia or Moray, de Douglas or the Douglas, O' Gordon, de Abernethy, de Lindesay, de Chein, &c.

On the 5th of May in this year, 1318, according to Wyntown, William of Lamberton, bishop of St Andrews, solemnly consecrated the new cathedral church of that see, in presence of the King of Scots, seven bishops, fifteen abbots, and a great concourse of the nobility and great barons of Scotland*. This celebrated prelate, after having enjoyed the bishopric through many difficulties and various reverses during thirty years, died in the year 1328, ten years after the present period, and was succeeded on the episcopal throne, by his archdean or archdeacon James Ben †.

* Wyntown, VIII. xxi. † Id. ib. xxiii.

CHAPTER XX.

Transactions subsequent to the Capture of Berwick, in 1318, *including the Defeat and Death of Edward Bruce in Ireland; and down to the Commencement of the Siege of Berwick by the English in* 1319.

As there was no doubt that the English administration would exert their utmost endeavours to recover Berwick, the Stewart, to whom the charge of that important acquisition had been confided, made diligent preparations for enabling him to sustain a siege. According to Barbour, he collected from his own hereditary possessions, and from among the relatives of his family, five hundred completely armed men of rank superior to the vulgar. A. D. 1318.

"Fyve hundre men, wycht * and worthy,
That bar armys of awncestry †"

* Strong and valiant. † Barbour, XVII. 237, 238.

A. D. 1318. These may be considered as equivalent to men-at-arms, knights and squires; but, as having to serve in garrison, they would be all or mostly dismounted. Besides these, he had a considerable force, not enumerated, of archers, lances, or battle-axe-men, and cross-bowmen. The two latter of these are named by Barbour, burdowys and awblasters *. Awblasters were certainly men armed with cross-bows, which were called in the Latin language of the middle age, arcubalistæ, or a species of projectile arm compounded between the bow and the balistae of the ancients; hence the implement was named awblast, and the person using it awblaster. Burdowys is not so obvious in its signification. According to the explanation of the term by the learned Jamieson †, it may mean armed with lances or staves, shod or pointed with iron; perhaps the burdon or burdown was a species of mace or battle-axe, and the word burdowys might be reasonably enough translated halberdiers. A species of halberd or battle-axe has been long known in Edinburgh, under the name of Lochaber-axe; another kind was anciently called Jedward-staves.

* Barb. XVII. 236. † Etymol. Dict. sub voce.

For the construction of the necessary engines then employed in the defence of fortified places, one John Crab a Fleming was employed, who was well versed in all the arts of engineering, as practised in those days for the attack or defence of fortified places. By his direction, a considerable number of engines of various kinds were constructed, with abundance of shot, or such missiles as were adapted for being projected from each kind of engine. Engynys, cranys, and spryngalds, are the three several kinds of artillery, if the term may be allowed, of which Crab made preparation*. The first of these, however, is probably a mere generic term, equivalent to engine, and inclusive of the other two. Cranys, or cranes, were probably engines of great projectile force, similar to the Roman catapultae, intended for throwing heavy weights of stone or metal. Spryngalds in all probability were the Roman balistae, a large species of cross-bow, capable of projecting with great violence large darts, anciently called muschettae, which were sometimes winged with brass instead of feathers. The shot mentioned by Barbour, necessarily were the

A. D. 1318.

* Barb. XVII. 245—249.

A. D. 1318. various kinds of missiles which were fitted for being employed with these engines. Barbour adds, that there were no cannon among the weapons of war provided for the defence of Berwick, as the knowledge and use of these destructive implements had not then reached Scotland.

> "Bot gynys for crakys * had he nane;
> For in Scotland yeit † than but wene ‡,
> The use of thaim had nocht bene sene §.

In the sixteenth year of the reign of Robert, 1321, a grant of lands in Aberdeenshire, named the Puddle-place where the Cock-stool stood, was made to John Crab, probably the engineer employed in the defence of Berwick. These lands were afterwards granted to a person named John Mercer; and John Crab received the lands of Prescoly, Granden, Auchmolen, and Auchterrony, in Aberdeenshire ¶.

Immediately after the reduction of Berwick, and while these preparations were go-

* Engines for making a violent noise.

† At that time. ‡ Certainly.

§ Barb. XVII. 250—252.

¶ Ind. of Miss. Chart. p. 15, No. 21, 22, and p. 17, No. 52.

ing on for its defence, the Scots invaded Northumberland, where they reduced the castles of Werk and Harbottle by means of siege, and surprised the castle of Mitford*. Barbour says that several parts of the north of England were laid under contribution for various kinds of provisions, to save them from being plundered and laid waste; and that all the provisions and stores which could be collected by the marauders, and through these special requisitions, were brought to Berwick, to store that place against the expected siege; and that both town and castle were by these means amply provisioned for a year or more†. A. D. 1318.

This forray, or predatory invasion of Northumberland, appears to have taken place in the month of April. In the immediately following month of May, the Scots again invaded England, and probably with a considerable army, as, in this second expedition, they penetrated deep into Yorkshire‡; where they plundered and burnt Northallerton, Burroughbridge, Scarborough, and Skipton in Craven; and obliged the inhabitants of Rippon to re- May.

* Chron. Lanercost, ap. Tyrrel, II. 272.

† Barb. XVII. 225—232.

‡ Foed. Angl. III. 712

A. D. 1318. May.

deem themselves from military execution, or indiscriminate plunder, waste, and destruction, by engaging to pay a ransom of a thousand marks: A sum equal in quantity of silver to 2000 of our modern pounds, and equal in efficacy to at least 10,000 pounds Sterling. Of the injuries done by the Scots in this invasion, and of the particulars above mentioned respecting the ransom of Rippon, we have authentic records still remaining. In the subsequent year, Edward granted a remission from an aid or general taxation to a long list of places which had been burnt and laid waste by the Scots: Among these Topcliff, Fountains abbey, Mitton, and Northallerton, in the north-riding, and Ripley, Burton, and Gisburn in the west-riding of Yorkshire are specified: The last probably the original seat of the Bruce family in England *. Two years after this invasion, an order was issued for assessing the town of Rippon in 760 marks, to free certain persons of that place from prison in Scotland, where they had been sent in security of the ransom agreed to be paid to the Scots; 240 marks having been paid at the time of agreement †.

* Foed. Angl. III. 801. † Id. III. 858.

From this successful expedition, the Scots returned into their own country loaded with booty, and altogether unopposed and unmolested; and, as expressed by an English historian, "driving their prisoners before them like flocks of sheep *." So helpless and contemptible had England become, through the civil dissentions between Edward and his discontented nobles †. A. D. 1318. June.

It is probable that the Scots made an ineffectual attempt about the present period to reduce the castle of Norham, then under the command of Thomas Gray, who is said to have sustained two several sieges or blockades, one for a whole year, and another for seven months. On these occasions the Scots are reported to have erected entrenchments at Upsettlington on the opposite bank of the Tweed, and at the church of Norham close by the castle; and the castle was twice relieved and victualled by the lords Percy and Neville. At one period, the outer ward of the castle was gained by the Scots, and retained for three days; but having failed in an

* Chron. Lanercost, ap. Tyrel, III. 272.

† A. of S. II. 90.

A. D. attempt to undermine the walls of the keep
318. or principal fortress, they were constrained to retire. On another occasion, but which must have happened at a time when the castle was not blockaded, Sir Adam o' Gordon made an attempt, with an hundred and sixty followers, to drive away the cattle which pastured around Norham. He was opposed by the inhabitants of the country, hastily collected and imperfectly armed; who, when nearly defeated, were reinforced by Thomas Gray with sixty horsemen from the garrison, and a complete victory was gained over the Scots, most of whom were slain *.

In the work from which these circumstances relative to Norham are taken, and which unfortunately gives no dates, the defence of this castle is said to have given occasion to the following chivalric incident, which seems worthy of notice, as a singular trait of the manners of the times. At a feast in Lincolnshire, where many ladies and gentlemen were present, a gentlewoman brought a present of a splendid helmet with a golden crest, from a lady to Sir William Marmion, accompanied by a letter to that knight, command-

* Scala. Chron. ap. Lel. II, 548.

ing him, if he would win her love, to go to the place of greatest danger in England, there to exhibit his helmet and acquire fame. In obedience to these commands, he went to Norham, and offered his services to Thomas Gray the castellan or constable, giving him an account of the nature of his errand. In four days after his arrival, Philip Mowbray, then said to have been the Scots governor of Berwick, came before Norham with an hundred and forty men, the flower of the Scots borders, to insult the garrison and to spoil the environs. On this Gray drew out his garrison, in front of the barriers of the castle, accompanied by Marmion richly armed and arrayed, and wearing the gifted helmet, all glittering with gold. "Syr Knight, said Gray, ye be cum hither to fame your helmet: mount up on your horse and ryde lyke a valiant man to your enemies even here at hand; and I forsake God, if I rescue not thy body, deade or alyve, or I myself wyl dye for it." A. D. 1318.

On receiving this animating exhortation, Marmion couched his lance and rode furiously into the throng of the enemy, who assailed him on all sides, and at length unhorsed the adventurous knight. Gray then, accord-

A. D. 1318. ing to his promise, charged the Scots at the head of his troops, defeated them and rescued Marmion; who, being remounted, joined in the pursuit of Mowbray, which continued all the way from Norham to Berwick nunnery. One Cryne, who is called a noted Flemish pirate, and is said to have been high in the favour of the King of Scots, was slain in this action, by the hand of Gray. Fifty valuable horses were taken from the vanquished; and the women of Norham led these back to the English foot soldiers, that they might join in the pursuit *.

Still unable to oppose the Scots in the field, through the continuance of dissentions with his factious barons, Edward claimed and obtained the farther interposition of the Pope, to endeavour to intimidate the Scots into submission. A papal bull was accordingly addressed to the two cardinals, Jocelyn and Lucas, who still remained in England, by
29 May. which they were ordered to excommunicate Robert Bruce and all his adherents, because he had captured Berwick, in violation of the papal truce, and for the treatment which the messengers of the holy see had experienced

* Scala Chron. loc. citat.

on their way back to Berwick*. This measure was enforced by several subsequent bulls, or orders from the Pope to the cardinals; and some other reasons, besides those publicly expressed, are alleged as having influenced the Pope on the occasion, but which he thought proper to keep secret †. It may be noticed, that Edward had granted, several years before this, considerable pensions to a number of the cardinals, and to the brother and two nephews of the Pope ‡. Jocelyn, besides his pension of 50 marks, equal in value to L.500 a-year of our modern money, had no less than eight livings in England §. So that the alliance of the Pope with Edward did not altogether proceed from pure regard to religion, and was by no means free from suspicion of the most unworthy motives. But the King of Scots and his brave subjects, supported by the patriotism of the national churchmen, held the unjust and partial conduct of the Pope in deserved contempt; and not the less brave-

A. D. 1318. 29 Mar.

* Foed. Angl. III. 707. † Id. III. 711.
‡ Id. III. 12. 129. 677. § Ib. IV. 105.

A. D. 1318 ly asserted and maintained their liberty, honour, and independence.

1 June. About this time, Edward wrote a letter to the Pope, exclaiming virulently against Lamberton bishop of St Andrews, for favouring the cause of Bruce and Scotland, requiring his immediate deposition, and that Thomas de Rivers, a Minorite friar, who seems to have executed the office during the imprisonment of Lamberton in England, should be installed in his room *. The Pope evaded this demand, because irregular, and recommended that a regular process should be commenced against the refractory bishop in the papal chamber †.

8 June. Edward had summoned his parliament to meet at Lincoln; but, on account of the Scots invasion, he was under the necessity to prorogate the intended session, and to order the
10 June. assemblage of an army at York, for the defence of his dominions ‡. But this military assemblage was too late, as the Scots had previously completed their depredations and retreated into their own country; and the English army appears, therefore, to have been dismissed without attempting any hostile

* Foed. Angl. III. 710. † Id. ib. 732.
‡ Id. ib. 712. 713.

operations whatever. An English historian very gravely observes, that no fitter measure could have been adopted for repressing the invasion of the Scots, than by taking the opinion and advice of the clergy and nobles assembled in parliament*. Forgetting that the military tenants of the crown, who composed the greatest part of the parliament, also constituted the leaders of the army, and could not at the same time deliberate in parliament, and oppose the enemy in the field. A. D. 1318. June.

The prorogated assemblage of the English parliament met at London about Michaelmas, and agreed that every city and town in England should furnish a certain proportion of foot soldiers completely armed. London was to furnish two hundred men, Canterbury forty, St Albans ten, and other places in proportion †. From a writ in the Fœdera, it appears that those soldiers were to serve forty days at the expence of the town from whence they were sent; and they were ordered to be completely armed with defensive iron armour ‡. By this means, and from the ordinary array of the barons and their military followers, a consi-

* Tyrrel, III. 272. † Walsingh. 111.

‡ Foed. Angl. III. 742.

A. D. 1318. derable army was assembled at York: but party animosities ran so high, and so great was the mutual distrust between Edward and his factious nobles, that it was found necessary to disband the army, and to postpone any attempt for the recovery of Berwick, to a more favourable opportunity.

Edward Bruce had hitherto maintained a precarious authority in Ulster, by means of frequent reinforcements from Scotland. He 5 Oct. now rashly engaged in battle at Fagher, near Dundalk, with a much superior army of English troops commanded by John de Bermingham, in which he was slain, and the Scots were totally defeated*. In Fordun, this battle is said to have been fought on the 14th October; but the date given in the Irish Annals is here preferred †.

According to Barbour, the Scots army on this occasion, amounted only to about two thousand men ‡, exclusive of the native Irish, who do not appear to have taken any share in the engagement, but whom he alleges to have been near twenty thousand strong §.

* Chron. Hib. ap Cambd. Britan.

† Ford. XII. xxxvii. ‡ Barb. XVIII. 8. and 91.

§ Id. ib. 89.

The Irish chronicle appended to the Britannia of Cambden, computes the number of the Scots army at three thousand men, and enumerates the following leaders, besides "Edward lord Bruce, who stiled himself King of Ireland:" Sir Philip Mowbray, Sir Walter Soulis, who is named John by Barbour, Sir Alan Stewart, named rightly John by Barbour, and three of his brothers; as also, Sir Walter, Sir Robert, and Sir Aymer Lacy, John Kermerdyne, or Carmarthen, and Walter White. The five last seem to have been Anglo-Irish who had joined Bruce. Barbour extends the amount of the Anglo-Irish army to above forty thousand men *; a number by no means credible: while a modern Irish historian reduces their number to thirteen hundred and twenty-four good soldiers †. It is probable that the men-at-arms only are here meant; and it is not to be supposed that there were no archers in their army. They would likewise have a considerable body of Irish troops, as all Munster, Connaught, and Leinster, seems to have continued in allegiance. The Irish Annals, without mentioning the strength of the Anglo-Irish, enumerate Sir

A. D. 1318. 5 Oct.

* Barb. XVIII. 93. † Lel. Hist. of Irel. I. 277.

A. D. 1318. 5 Oct. Richard Tuite, Sir Miles Verdon, Sir Hugh Tripton, Sir Herbert Sutton, Sir John Cusak, Sir Walter Larpulk, John Maupas, Sir Edward Bermingham, and Sir William Bermingham, as leaders under the command of lord John Bermingham. Barbour says that the Anglo-Irish army consisted of twenty thousand well armed cavalry, besides foot, swelling the whole amount to upwards of forty thousand men, and he perpetually persists in attributing the chief command to Richard de Clare, as has been formerly mentioned *.

When the two armies approached, Edward Bruce detached three of his principal officers, Soulis, Stewart, and Mowbray, to observe the strength, countenance, and disposition of the enemy. On their return, they reported the vast superiority in number of the hostile army, and judiciously urged the propriety of declining an engagement at this time, more especially as, according to Barbour, the King of Scots was soon expected to arrive in Ireland, with a reinforcement of fifteen thousand men. Even the Irish chieftains, who were in the army of Edward, strenuously advised him to retreat, and offered to delay the march

* Barb. XVIII. 17. 93. and 12.

of the English during two days, with their own people, which would have enabled him to retire in safety: but, finding him obstinately determined to fight at all hazards, they declined to take any share in the battle, alleging that it was not their custom to engage in set combats, or formal battles, but to make war in an irregular manner, by surprise, or by pillaging the possessions of their enemies: A. D. 1318. 5 Oct.

> "For owr maner is, off this land,
> To folow and fycht, and fycht fleand *;
> And not to stand in plane mellé,
> Quhill the ta † part discomfyt be ‡."

Edward sternly refused to listen to these judicious councils, and fatally resolved upon joining battle immediately with the English. He requested, however, that the Irish would make a demonstration of assisting in the engagement, by drawing up their forces in a compact body, at a small distance within sight of both armies. This request they complied with; and being near twenty thousand strong, they had a somewhat imposing appearance,

* Flying † Until the one party.
‡ Barb. XVIII. 77—80.

A. D. 1318. 5 Oct. and contributed materially after the battle to save the small remnant of the defeated Scots troops *.

In this desperate situation, the only precaution taken by Edward Bruce, for his own individual safety, was by arraying Gilbert Harper, who had so signally distinguished himself on a former occasion at Carrickfergus, in his coat armorial, or particular cognizance, while he fought himself in plain and unadorned arms †. The Irish Annals say that, before the battle, the archbishop of Armagh went through the ranks of the Anglo-Irish army, exhorting all to behave valiantly against the Scots despoilers of their country, and granted absolution to all who might fall in the discharge of their duty : the English then began the engagement, by breaking resolutely into the vanguard of the Scots, with irresistible vigour ; and in this first charge, John Maupas killed Edward Bruce, and was himself found slain and stretched upon the body of his fallen enemy. Without particularising the manner of the engagement, Barbour only says that the enemy was so greatly superior in force, that the Scots were almost instantly over

* Barb. XVIII. 81—86. † Id. Ib. 94 98.

whelmed; and that Edward Bruce, Sir John Stewart, and Sir John Soulis, were all slain in the first brunt of the battle. He adds, that Gib Harper, who was clad in the coat armorial of Bruce, was slain at the same time; and being mistaken for the leader of the Scots invaders, his head was cut off and sent to the King of England, who received it with great satisfaction, as the head of his most redoubted enemy. Barbour expressly says that this head was carried into England by John Maupas, who is said in the Irish Annals to have been found dead, extended over the body of Edward Bruce *.

A. D. 1318. 5 Oct.

Barbour informs us that John Thomson, in his relation of the events of this fatal day to the King of Scots, asserted that he saw Sir Philip Mowbray stunned by a heavy blow, and led away prisoner from the field by two men, along a narrow causeway reaching from the field of battle to the town of Fagher. That Sir Philip, having recovered from his confusion, extricated himself from the men who had him in custody; and, drawing his sword, forced his way back again along the causeway, which was crowded with armed

* Barb. XVIII. 224.

A. D. 1318. 5 Oct. men, above a hundred of whom he drove out of his way. Thomson then called out to Mowbray, informing him of the destruction of the Scots troops, and urged him to take refuge along with him, under the protection of the Ulster Irish, which he accordingly did*. It does not appear, however, that Sir Philip got back to Scotland. The Irish Annals assert that he was mortally wounded. Perhaps he died of his wounds during the retreat with Thomson. The Irish Annals say that very few of the Scots escaped; but that Sir Hugh and Sir Walter Lacy, and a very few more, got off with much ado. It may be remarked that, in the enumeration of the leaders in these annals already noticed, none of the three Lacys has the name of Hugh.

Such of the Scots as were able to join the Irish, after Edward Bruce and all his principal leaders were slain, made good their retreat to Carrickfergus, under the conduct of John Thomson, who had been the particular leader of the men from Carrick, and who now assumed the chief command of the poor remnant of the discomfited Scots. It would appear from Barbour, that some succours from

* Barb. XVIII. 147—157.

Scotland were actually on their march from Carrickfergus to join Edward Bruce at the time of the battle; and that Thomson, with the Scots fugitives, joined this intended reinforcement, by whose assistance they were enabled to repel repeated assaults from the native Irish in the English interest, who greatly annoyed them during their retreat. Having at length reached Carrickfergus, the whole remains of the Scots invaders embarked in such vessels as they could procure, and returned to Scotland *. A. D. 1318. 5 Oct.

In the Irish Annals, the loss of the Scots is moderately computed at two thousand men; and from the account given by Barbour, it would appear that almost the whole of the small Scots army was cut off. One of the old English historians magnifies the loss to twenty-nine knights and barons, and five thousand eight hundred common soldiers †. The loss on the side of the English is no where mentioned, but was probably inconsiderable, as usually happened to the victors in the battles of those days.

*Barb. XVIII. 160—161, and 185—204.

† Walsingh. 111.

A. D. 1318. The English did not grant such honours to the dead body of Edward Bruce, as had been bestowed by the King of Scots on the English nobles who fell in the battle of Bannockburn. Affecting to consider him in the light of a traitor or rebellious subject to the King of England, his body was quartered, and exposed in four different places of Ireland, as a public spectacle. Lord Bermingham carried over the head of Edward Bruce to England, and presented it to King Edward *. In reward for his services, Bermingham received a grant of twenty pounds yearly out of the revenues of the earldom of Lowth, together with the title and dignity of earl of Lowth, to himself and his heirs male lawfully begotten. And he afterwards had a more ample grant of the whole remaining rents and casualties belonging to that earldom, together with the earldom itself, and the sheriffdom, for his life; reserving the four pleas of the crown, denominated de raptu, forestello, incendio, and treasure trove †. The three former probably refer to the pecuniary compensations for crimes, according to the laws or customs of the native Irish; being the fines or

* An. Hib. ap. Cambd. † Foed. Angl. III. 767.

erics for robbery, forestalling, and wilfully setting houses on fire. A. D. 1318.

Thus, by the rash and inconsiderate bravery of Edward Bruce, besides losing his own life, and uselessly sacrificing a number of brave men, upon a foolish punctilio of chivalric honour, all hopes of wresting the dominion of Ireland from the crown of England were utterly destroyed. It appears that Robert, after he was firmly seated on the Scots throne, had resigned his maternal earldom of Carrick to his gallant but impetuous brother, who now fell without leaving any lawful issue. During the whole arduous contest for recovering the independence of Scotland, and in this invasion of Ireland, Edward Bruce certainly evinced the most determined and chivalric bravery, which was too often undirected by cool judgement, or was rather, for the most part, misled by rash confidence in his own prowess, and unwise contempt of his enemies.

Edward Bruce had married Isobella, the sister of David de Strathbolgie earl of Atholl, by whom he had no children. He left a natural son, Robert, on whom the King his uncle bestowed the earldom of Carrick; and who af-

A. D. 1318. terwards fell in defence of his king and country, in 1332, at the battle of Duplin, or Gaskmoor. He was succeeded in the earldom of Carrick, by Alexander, another natural son of the gallant Edward; who likewise fell in the same noble cause, in 1333, in the unadvised and ill conducted battle of Halidon-hill.

Dec. Owing to the death of Edward Bruce without lawful issue, and that of Marjory the Kings daughter, who had left an infant son, some new regulations became necessary for determining the succession to the crown of Scotland. Accordingly, in a parliament which commenced its sittings at Scone, in the beginning of December of the year 1318, an act of settlement was agreed to, of which the following is the tenor*.

1. "The prelates, earls, barons, and others of the community, all and singular, statute and ordain, and engage themselves in all things, each according to his state and condition, to maintain the most serene and illustrious prince and lord, Robert, by the Grace of God, King of Scots, as their king and lord, and him faithfully to assist with all their powers, in preserving and defending the rights and li-

* Ford. XIII. xiii.

berties of the kingdom, against all mortals of whatever strength, power, and dignity they may be. And if any one shall attempt to violate this engagement and ordinance, he shall be held guilty of treason against the King, and as a traitor to his country." A. D. 1318. Dec.

2. "It is farther statute and ordained by the unanimous consent of all and singular of the aforesaid, in case our said lord the King should die without an heir male lawfully procreate of his body, that Robert the son of the Princess Marjory of good memory, the daughter of our said lord the King, lawfully procreate by her husband the lord Walter, High Stewart of Scotland, shall succeed to our said lord the King, in the kingdom, as his nearest and lawful heir: To whom the aforesaid persons all engage themselves to be assistant in all things, as already expressed in regard to the person of our said lord the King."

3. "In case of the said Robert Stewart, or any other heir of the Kings body, being under age at the decease of our said lord the King, the King, with the unanimous consent of all and singular of the aforesaid, constituted and appointed the lord Thomas Ranulph earl

A. D. 1318. Dec. of Moray and lord of Man, to be tutor and curator of the heir, and guardian of the kingdom and people; and failing him, Sir James of Douglas; until it shall appear to the majority of the community of the kingdom, that the said Robert Stewart, or the other heir of our lord the King as aforesaid, is capable to assume the government of the kingdom and people."

"The which assignment of tutor, curator, and guardian, having been accepted by the saids earl and Sir James, and with the approbation of the whole community aforesaid, they, laying their hands upon the holy evangile and the relicts of the saints, took a solemn oath, well, faithfully, and diligently, to execute the said offices of tutor, curator, and guardian, to the benefit of the said heir and kingdom, and of the whole clergy and people of the same; always faithfully observing the laws and customs of the kingdom, towards the clergy and people, and using the utmost of their power to cause them to be observed by others."

4. "And whereas, in certain times past, doubts have arisen, though without sufficient cause, by what rule the succession of the kingdom of Scotland should be judged of,

and determined; it is farther statute and ordained by the authority aforesaid, that this ought not to have been regulated, nor should be in future, according to the practice observed in regard to inferior fees and inheritances, as such had not been the custom in regard to the succession of the kingdom: But that the male nearest to the king at his death, descending in the direct line; or, failing such male, the nearest female in the same direct line; or, failing the whole direct line, the nearest male in the collateral line; respect being always had to the right of blood by which the deceased king reigned; and which heir so designed, shall succeed to the kingdom, without any let, hindrance, or contradiction whatsoever; and this seems sufficiently agreeable to the imperial law." A. D. 1718. Dec.

"And, to the observance of the premises, in all and singular, without guile, fraud, fiction, or evil intention, in all future time, the bishops, abbots, priors, and the rest of the clergy, according to the form prescribed to them by law, and the earls, barons, knights, freeholders, and others of the community, laying their hands upon the holy evangile and the relics of the saints, pledged

A. D. 1318. Dec.

their great oaths, and in testimony of the same affixed their seals thereto."

By the strong sweeping clause in the first article of this statute, the Scots legislature certainly intended to include the Pope, whom it was not considered decorous to name among the enemies of the king and people of Scotland; although he had shewn himself to be the avowed partizan of the King of England, and of whom all his chief counsellors, the leading cardinals, and several of his relatives, were the devoted pensioners.

Doubts may be entertained respecting the precise import of some parts of the provisions of this act of settlement, in certain supposable cases. It certainly has the appearance of setting aside the collateral succession of females, and consequently of precluding the succession of the male heirs of collateral females. This interpretation, however, could not possibly be in the contemplation of the legislature at the time: For there were not then any collateral male heirs to the king, excepting the sons of his sisters; and its true intent is therefore to be understood as only precluding these sisters themselves from the succession. To understand it otherwise, would be to suppose that the Scots legislature meant to have challenged

the very line of succession by which the grandfather of Robert claimed the crown in 1292, and upon which Robert had established his own right; and which right a former Scots legislature had solemnly recognized in February 1310, when they declared that Robert lord of Annandale, the competitor, ought to have been preferred to Baliol. Besides the words in the collateral clause, "respect being always "had to the right of blood by which the last "king reigned," must be considered as authorising the succession of the nearest collateral male descended from a female collateral, while female collaterals were themselves excluded; And, in reference to the plea of Bruce the competitor, preferring the son of a younger collateral female, before the grandson of an elder, especially if that grandson were by a daughter.

A. D. 1318. Dec.

Besides settling this highly important point of the royal succession, several other salutary laws were enacted in this parliament, some of which may be deserving of notice. We have a series of the statutes of Robert I. published by Skene, along with the book called Regiam Majestatem. But the excellent annalist of Scotland asserts, after an attentive collation of various M. S. copies of these laws, that the

A. D. 1318. Dec.

edition of Skene is exceedingly inaccurate, and that his version of them into the Scots dialect strangely mistakes or perverts the sense of the original *.

1. The liberties and immunities of the national church were asserted, and provision was made for the security of the persons and property of ecclesiatics.

2. All men were required to array themselves in readiness for going to war; and, according to their several conditions, were to be provided with defensive armour, and weapons of offence.

Every layman possessed of land, who had ten pounds worth of moveables, equal to an hundred and fifty pounds of modern money, was ordered to provide an acton, a basnet †, and gloves of plate, with a sword and spear. Such as had not an acton and basnet, to have a habergeon, a good iron jack, and an iron knapiskay ‡, with gloves of plate. All this under forfeiture of his goods and gear, or moveable property, half to the king and half to his over lord or superior. Every man hav-

A. of S. I. 95.

† A stuffed leathern jacket and helmet.

‡ Coat of mail, breast-plate, and head-piece.

ing the value of a cow, to be provided with a bow and a sheaf of twenty-four arrows, or a spear. All sheriffs and lords were conjoined to make inquest into the execution of this law, and to order weapon showing in the Easter week next ensuing *.

A. D. 1318. Dec.

3. Every person while on the road to the royal army, was required to subsist at his own charges, without oppressing the country in any manner of way; and the mode of punishment for the transgression of this statute was thus accurately laid down.

Whoever committed slaughter, robbery, or theft, in coming to, remaining at, or returning from the army, was to be punished by the justiciary, in proportion to the enormity of the crime, and according to law; and the bailie or judge, where the malefactor dwelt, was ordered to attach him for compearance before the justiciary at the place where the offence was committed †.

4. All who came to the royal army, were enjoined to bring carriages and provisions along with them; or such as came from places too far distant for that purpose, were ordered to bring a sufficient sum of money to

* Reg. Majest. ch. xxvi. p. 349. † Id. ch. iv. p. 340.

A. D. 1318. Dec. purchase. All were to be reasonably furnished with necessaries for their money; and if refused, were authorised to take what was necessary, but always at the sight of the bailies or magistrates of the district, or of the nearest neighbours *.

5. All who supplied the enemy with weapons, or with any assistance whatever, were declared guilty of a capital offence. The tenor of this statute is remarkable. "As *by the* "*laws* it is forbidden to the subjects, under "the penalty of death, to assist or supply "the *barbarians* with provisions or any kind "of arms: We therefore strictly prohibit all "and singular the inhabitants of our king-"dom, of every rank and condition, from "giving, selling, or sending, in any manner "of way whatever, to the English, our ene-"mies and the enemies of our kingdom, any "bows or arrows, or any kind of weapons or "armour, or horses, or any other species of "aid or assistance whatsoever, by which we "or our allies may suffer any injury, under "the pain of life and limbs, and of all which "they can forfeit to us in any manner of "way."

* Reg. Majest. ch. v. p. 341.

A. D. 1318. Dec.

This singular statute contains the most express referrence to the Roman law that is to be found in any of our Scots statutes. As an apology or example for the severity of its enactments, a constitution of the Emperor Marcian is quoted and imitated, even in the language. The parallel between the alienigenae barbari, alien barbarians, of the Roman law, and the Anglici of the Scots statute, gives a lively representation of the national animosities which then prevailed between the Scots and English. The Scots legislature, however, improved upon their Roman model, by adding alia aysiamenta, any other assistance; and, by this law, every kind of exportation whatsoever, into England, in time of war, was declared punishable by death and forfeiture of lands and goods; for to that effect the concluding clause must be understood. It may however be mentioned, that in all the treaties of truce which took place between the Scots and English during this war, all intercourse whatever was strictly prohibited between the two nations; and this law may therefore be considered as, in a great measure, a trait of retaliation.

" Had Skene perceived the allusion, and the quotation from the Roman law, which is con-

A. D. 1318. Dec. tained in this Scots statute, he certainly would not have translated the opening clause in the following words: "For sa meikel as by the "lawes, liberty or licence is denied to all "faithful subjects to help or comfort the "enemies with any kind of armour, under "the pain of death." This statute in the M. S. copies is ch. 6. but is given as ch. 35. by Skene *.

By another statute, ecclesiastics were prohibited from remitting money to the papal court for the purchase of bulls. This measure may be considered as rather severe; as ecclesiastical dignities were not then complete until confirmed by papal authority, which could not be procured without money. But the gross partiality of the Pope to the English interest, was a sufficient justification of this unusual prohibition, and it does not appear to have met with any opposition from the national clergy. In the same statute, the absentees in England, who possessed lands in Scotland, were prohibited from drawing any money out of the kingdom. It is probable that the person chiefly aimed at, by this prohibitory clause, was David de Strathbolgie

* A. of S. II. 96.

earl of Athol. At this time he stood high in the favour and confidence of Edward II. Yet the merits and catastrophe of his father in the cause of Bruce, continued to screen the son from the more severe measure of forfeiting his earldom, which would have been perfectly justifiable on every principle of law and government *. A.D. 1317. Dec.

Another of the statutes of Scone, relates to theft-bute, or the composition or ransom of theft. Whoever paid this ransom, was to be held as a convicted thief, and was liable to be punished accordingly, without farther proof; and the receiver of this composition was to be severely fined; or, if unable to discharge his fine, was to be imprisoned during the Kings pleasure. The fourth section of this statute is remarkable. "Saving, never-" theless, the liberties of those lords who had "such conceded to them by the Kings of "Scotland before our lord the King who now "reigns." This singular reservation seems to imply, that a permission to compound with thieves was indulged to some lords by the special grant of former kings. "There may have been many such grants in anient deeds, al-

* A. of S. II. 96.

A. D. 1318. Dec.

though they have not occurred, or may not now remain. The sovereign might, indeed, be justified for permitting what he could not effectually prohibit. In ch. 137, James I. there is a proviso which may serve to illustrate this obscure passage. "Saifand that "this statute sall not strike at the bordourers "dwelling on the marches, but for theift to "be done after the making of this statute." Hence, it would appear, that if theft-bute were ever authorised, it must have been upon the marches *." It is not improbable that theft-bute was a remnant of the ancient barbarous Celtic law, by which every crime had its correspondent composition or amerciament, a fruitful source of revenue to the lords who enjoyed jurisdictions; and which the gradual amelioration of law upon just principles continually endeavoured to abolish, though often ineffectually.

The only other statute which shall be here noticed, ordains that no person shall invent or propagate rumours, by which matter of discord might arise between the king and his people, under the penalty of being imprisoned until the Kings pleasure should be made

* A. of S. II. 97.

known. "The offence which forms the subject of this statute, is too well known in the latter practice of Scots criminal law, under the name of *leasing making;* literally the invention of falsehoods. The present statute neither defined the nature of the crime, nor fixed the measure of its punishment; and it consequently left the subject greatly too much exposed to the arbitrary interpretation of the court, and occasioned the infliction of numerous tyrannical punishments, until Scots juries discovered that they had a right to pronounce upon the truth of the application of the law, as well as of the fact charged. This law of leasing-making is borrowed from the statute of Westminster, of Edward I. of the year 1275, ch. 34. st. 1. An antipathy to that ambitious prince, was not inconsistent with a favour for his laws, as politic engines in the hands of an able sovereign; and, accordingly, Robert I. introduced some English laws into the Scots code *." A. D. 1318. Dec.

About this time, Edward issued a commission of array, ordering all the fencible men in the English counties on the north side of the

* A. of S. II. 97.

A. D. 1318. Dec. Trent, from twenty to sixty years of age, to be in readiness to march against the Scots. This seems only to have been a measure of precaution, that they might be prepared to repel any fresh invasion from Scotland, as no military enterprise appears to have been carried into execution in consequence of this order. All men able to bear arms, horse and foot according to their condition in life, were strictly enjoined to be fitly armed and provided, each according to their several stations. The foot is directed to be distributed into bands of twenties, and these again into companies of an hundred men; and the horse is ordered to be formed into constabularies or troops, according to the usual method. Arrayors, or commissioners of array, are appointed to see this ordinance carried into execution *.

It would appear that the two cardinals, who still continued to reside in England, had again pronounced and published the sentence of excommunication and interdict against the King of Scots and all his adherents and accomplices, as the Pope and they are pleased to call them. As, in a letter to the cardinals,

* Foed. Angl. III. 748.

his pensioners at the papal court, Edward makes mention of this sentence having been lately promulgated. It is not easy to conceive what occasion there could be for renewing this fulmination, as Robert already lay under the papal curse, frequently pronounced, unless to satisfy the puerile resentment of Edward, who was unable in any other way to prosecute his vengeance against the Scots patriots*.

A. D. 1319. 9 Jan.

From the same dispatch, it appears that messengers had been sent from Scotland to Avignon, to remonstrate with the Pope upon the injustice of the sentence of excommunication and interdict, and to solicit a reversal or mitigation of the severities which had been exercised towards them. But this negociation was effectually counteracted by the bishop of Hereford and the elder Hugh le Despenser, the English ambassadors at the court of Avignon. In one of his letters to the Pope, Edward loudly complained of the subsistence of a correspondence between Avignon and Scotland; and mentioned certain letters which had been intercepted in their way to Scotland, requir-

12 Jan.

* Foed. Angl. III. 752.

A. D. 1319. 26 Mar.

ing that their writers should be punished *. And, in a subsequent dispatch, he thanks the obsequious pontif for having committed the Scots agents and their abettors to prison †.

In another of his letters to the Pope, Edward solicited permission to treat secretly with certain of the excommunicated Scots, who had intimated an inclination to desert the cause of their king and country, and to return to their English allegiance, if they could be assured of a reconciliation with the holy see ‡. Who these were no where appears, and their motives can only be conjectured through the tenor of Edwards application to the Pope. " It having been secretly " intimated to us, that many of the Scots, " our enemies and rebels against our authori- " ty, are strongly inclined to treat for procur- " ing their own peace and pardon, and the " recovery of our favour; and assert that they " will use their best endeavours to promote " our honour and interest, and to secure their " own quiet and advantage in the same. We " therefore trust, by the return to our peace

* Foed. Angl. III. 752. † Id. ib. 761.

‡ Id. ib. 758.

"of certain considerable persons among these A. D. 1319.
"our enemies, the remainder may be so di- 26 Mar.
"vided and weakened among themselves,
"that the whole may be thereby the more
"easily reduced to obedience to the holy
"church and to our government. Therefore,"
&c. The Pope of course granted the request- 24 April.
ed licence*; but we have no remaining evidence of any consequences whatever having flowed from this treasonable and secret negociation, unless it may be supposed to have some connexion with the plot of William de Soulis and others, to be mentioned hereafter.

At this period the Scots appear to have carried on a considerable trade with Flanders, then the great emporium of western Europe; and from whence they procured supplies of arms, provisions, and military stores, in exchange for the rude produce of their own country, and probably for the various articles of plunder which they acquired in their frequent inroads into England. Under a foolish notion of reducing the Scots to distress, so as to be unable to continue the war, and thus to constrain them to submit to his au-

* Foed. Angl. III. 764.

A. D. 1319. 26 Mar. thority, a fond fancy which has been often since acted upon, Edward solicited Robert count of Flanders to prohibit any commercial intercourse between his Flemish subjects and the Scots. He made similar applications at the same time to the Duke of Brabant, and to the magistrates of various towns in the Netherlands. To induce compliance with this request, he represented the Scots as persons labouring under the sentence of excommunication and interdict, with whom the faithful ought to have no friendly intercourse: And he declares that he had appointed certain officers, denominated keepers of the sea, with ships of war, who had orders to intercept all supplies of men, arms, or provisions that might be destined for the supply or assistance of his rebellious subjects in Scotland; and that the carriers of all such supplies should be subjected to be treated as pirates*.

7 May. To this request the Count of Flanders made answer, "That his country was common to "all men of every region, and the right of "entry to it was free to every person: That "it was not in his power to prevent mer-"chants from exercising their trade, accord-

* Foed. Angl. III. 759.

"ing to ancient custom, as that would occa- A. D. 1319. 17 May,
"sion the utter ruin of his dominions: That
"therefore, in permitting the Scots to fre-
"quent his harbours, or his subjects to carry
"on trade with Scotland, it was by no means
"his wish or intention to foment or encour-
"age that nation in error, or to participate
"in their crimes; but merely not to interfere
"with the free exercise of merchandise, on
"which the prosperity and existence of his
"own subjects so necessarily depended." Similar replies were given by the cities of Bruges and Ypres *. The Duke of Brabant, who was nephew to Edward, and the city of Mechlin, were more compliant; as they engaged to give no aid or favour to the Scots, not to receive them into their harbours, and not to carry on trade in any respect with Scotland †.

It is alleged by one of the English writers, that about this time Edward offered peace to the Scots, condescending to profer an indemnity for all past offences to Bruce in case of submitting to the paramount authority of the English crown. But Bruce resolutely

* Fœd. Angl. III. 770. † Id. III. 766.

A. D. 1319. answered, that he despised peace upon such degrading conditions: That he possessed the crown of Scotland by hereditary right, and through the fortune of war, and neither owed nor would acknowledge allegiance to any earthly superior lord *.

* Malmsb. 190.

CHAPTER XXI.

Siege of Berwick by the English in 1319, and Transactions connected with that event.

An apparent reconciliation having taken place with the Lancastrian party, Edward resolved to make a powerful effort to recover Berwick from the Scots, and seems even to have entertained the hope of reconquering Scotland. For this purpose, he summoned his military vassals to assemble at Newcastle-upon-Tyne on the 24th July*. At the same time a numerous levy of infantry, from various parts of England and Wales, was ordered to join the royal army, as better qualified than the cavalry composing the usual contingent of the nobles, for being employed in the operations of the intended siege. The entire amount of these cannot be now ascertained;

A. D. 1319.

4 June.

* Foed. Angl. III. 774.

A. D. 1319. 4 June. but two thousand three hundred men were demanded from different districts in Wales, who were to receive certain customary wages or conduct money, from the day on which they commenced their march, until they arrived at head quarters *. The earl of Lancaster was enjoined to bring two thousand foot soldiers to the army; one half to be provided with complete defensive iron armour, besides fit weapons not specified; and the other half were to be well armed archers †. In addition to the land army, a powerful fleet was appointed to occupy the mouth of the Tweed, to prevent the introduction of supplies or reinforcements to the garrison, to transport provisions, machines, and all necessary stores, and to co-operate with the army in the various operations of the siege ‡.

Owing to various causes not now known, perhaps principally the want of funds for defraying the expences of the necessary preparations, the expedition was delayed until the beginning of September. In the mean time, 20 July. the prayers of the church were requested for the success of the enterprise §. A large sub-

* Foed. Angl. III. 774. † Id. III. 784.
‡ Id. III. 785. § Id. III. 786.

sidy had been voted for the expence of the war; towards which the clergy were to pay a tenth, the inhabitants of cities and towns a twelfth, and the rest of the commons a fifteenth of their respective moveables. And as the pressure of affairs did not admit of delay until the statutory term of payment, Edward earnestly intreated the advance of this subsidy upon an early day *. It is singular, that while the tenths of the clergy in the province of York appear to have been voted by parliament, those of the province of Canterbury were granted by the Pope.

A. D. 1319. 20 July.

So sanguine was Edward in his expectations of a successful termination to his present enterprise, not only in recovering Berwick, but of atchieving the entire conquest of Scotland, that he now made gifts of nine prebends in the cathedral of Glasgow; which diocess he alleged was then vacant and in his possession. He likewise presented to several other livings in that diocess, and in those of Whithorn and St Andrews; and he bestowed the provostship of an hospital in Berwick and another at Roxburgh †.

* Foed. Angl. III. 787. † Id. III. 785, 786.

A. D. 1319. Sept. After all his preparations were completed, Edward marched from Newcastle early in September; and, having crossed the Tweed without opposition, he completely invested Berwick, from the river Tweed to the sea, securing his camp by strong lines of contravallation, composed of high ramparts and deep trenches, to oppose any attempt from the Scots to raise the siege; and the English fleet having occupied the haven or estuary of the Tweed, the town was entirely surrounded on all sides *.

The principal leaders of the English army in this siege, are said to have been the Earls of Lancaster, Pembroke, Arundel, Hereford, and Surry, with the earl Marshal brother to King Edward; and Hugh le Despenser, Roger Damory, and Hugh Dandeleye, who had married the three sisters and coheiresses of the late Earl of Gloucester, and then acted conjunctly as vicecounts, or joint administrators of that rich and powerful earldom †.

7 Sept. All these precautions being judiciously taken, and the provisions of the army, with the

* Barb. XVII. 300—306. Ford. XII. xxxvii. Walsingh. 111.

† Malmsb. 191.

machines and stores which had been provided for the siege, being all landed, it was resolved, in a council of war, to make an effort for carrying the town by storm. This was considered as no way difficult, as the walls were so low that the assailants on the ground without might reach the defenders on the top with their spears *. And the place had been taken in 1296, in this manner, by Edward I.

A. D. 1319. 7 Sept.

In the arrangements that were made for the assault of Berwick, a simultaneous effort was directed to be made at the same time, by the army on the land side, and by the fleet from the river. Lord Hailes considered these two attacks as having taken place on different days †; but Barbour clearly describes them as combined; and expressly says that the land attack was principally intended for drawing off the attention of the besieged from the proposed main effort on the side of the river, on which the hopes of the English were chiefly placed. Our excellent annalist appears not to have been aware of the two attacks from the river, on different days, so distinctly narrated by Barbour; both of which were accom-

* Barb. XVII. 379—383. † A. of S. II. 99.

A. D 1319. 7 Sept. panied by concurrent assaults on the land side; and inadvertently separated these co-operating efforts into two assaults on different days.

All things being prepared for the assault, the English army was drawn up early in the morning of the eve of the Nativity of the Virgin, 7th September, and regularly arranged in separate divisions, each provided with scaling-ladders, scaffolds, and defences, and with staff-slings, hoes, and pick-axes. They were prepared for annoying the defenders with missile weapons, for mounting the walls by means of ladders and scaffolds, and for undermining the walls under some species of moveable covers or defences not explained. To each division of the army ordered for the assault, certain leaders were appointed; and particular portions of the walls, at regular distances, all the way from the neighbourhood of the castle to the steep banks which overhang the river towards the sea were allotted to the several divisions. The main body of the army was drawn up in the rear, ready to take advantage of the success of any of the attacking parties, and to detach succours where ever they might be required.

The gallant governor, Walter the High Stewart of Scotland, and his brave garrison, disposed themselves for defending the place which had been committed to their charge. The Stewart distributed his troops into several divisions, properly stationed under their several leaders, for opposing the various English attacking parties; and he continually went around the walls, attended by a considerable body of reserve, encouraging his troops to behave manfully, earnestly exhorting each division to watch carefully for the safety of its particular post, and supplying succours and reinforcements where ever they were needed *. Barbour attributes the successful defence of Berwick to the gallantry and excellent conduct of the governor, the confidence which the garrison reposed in his vigilance and abilities, and their affectionate gratitude for his unwearied attention to all their wants. Adding, that the greater portion of the garrison consisted of his relations and connexions. This certainly must refer to the knights and gentlemen bearing subordinate commands in the garrison.

A. D 1319. 7 Sept.

* Barb. XVII. 384—488.

A. D. 1319. 7 Sept.

"——The maist party
Of thaim that armyt with hym wer,
War of hys blud, and sib him ner *."

Every thing being arranged in the English army for the assault; a body of archers was appointed to each division, to harrass the defenders on the walls, and especially those who were stationed in the towers, that their attention might be drawn off from the parties who were to attempt the escalade †. The signal was given by sound of trumpet; and all the English assaulting parties marched on at once to their severally appointed places of attack. After filling the ditches, they applied their ladders to the wall, and made every effort to force their way to the top. But they were every where received by the garrison with such determined and persevering bravery, that all their attacks were repulsed, their ladders were all thrown down, and numbers of the assailants were killed and wounded ‡. Barbour does not mention the materials employed for filling up the ditch; which may be presumed to have been fascines, a load of which would be carried by every

* Barb. XVII. 316—318. † Id. ib. 355—360.
‡ Id. ib. 366—376.

soldier, ready to be thrown in, to enable them to pass over to the foot of the wall. A. D. 1319. 7 Sept.

While this extensive attack was going on by land, the English fleet had to wait the rise of the tide, before it could approach the walls along the river side, which were of inconsiderable height. According to Barbour, the tide did not serve until the afternoon*. When the fleet had taken its appointed station, one vessel filled with armed men, and particularly fitted up on purpose, was warped up by means of boats, as close as possible to the walls, near the bridge-house. From some remains of the ancient bridge of Berwick, still perceptible, the bridge-house, or fortified gate of the bridge, appears to have been a very little higher up the river than the present bridge. The ship allotted for the assault had her boat hoisted mid-mast high, to which a species of draw-bridge was fitted; which, while up, served as a barricade to defend the assailants stationed in the boat, and when let fall, was intended to reach the top of the wall, for allowing the assailants to pass over to the attack. But the defenders of that part of the

* Barb. XVII. 398.

A. D. 1319. 7 Sept.

wall so roughly handled the people in this ship, and in the boats which were towing her to the proper station, by means of *springolds*, balistae, or machine cross-bows, and other engines, that they were unable to get her near enough; so that, when the falling-bridge was lowered, it did not reach the wall. At length the ship took the ground and could not be got off; and, when the tide was sufficiently ebbed, a considerable party sallied out from the town, and set her on fire *.

In this unfortunate attempt, a considerable number of the English were slain, and the sallying party made several prisoners; among whom was an engineer of great knowledge and talents, probably the inventor of the falling-bridge. Having succeeded in their object, the Scots party retreated within the walls in time to save themselves from a strong detachment of the English, who were sent in boats to endeavour to rescue the crew of the destroyed ship †. Barbour mentions, that according to some accounts which he had seen, several vessels were to have been employed in this attack by water; but as one only was destroy-

* Barb. XVII. 425—429. † Id. ib. 434—444.

ed, he had judged proper to attribute the enterprise to one vessel only *. A. D. 1319. 7 Sept.

The land army of the English still continued to push their various assaults with great vigour and perseverance; but were continually resisted, baffled, and repulsed, in all their attempts, by the Stewart and his gallant troops. At length, after losing a great number of men, and receiving intelligence of the complete failure of the naval attack, a retreat was sounded, and the assailants drew off to their camp. The garrison, now freed from the assault, withdrew to their quarters for rest and refreshment; and sufficient guards were appointed for the protection of the walls, and skilful leeches, or surgeons, were ordered to visit the wounded †.

No farther attack or any other important event occurred for five days subsequent to the general assault; but both sides were actively employed during that interval: The English in forming preparations and arrangements for another assault; and the Scots in devising and preparing the means of effectual resistance. The English constructed a large machine cal-

* Barb. XVII. 465—470. † Id. ib. 471—486.

A. D. 1319. Sept. led a *sow*, framed and built of large timbers, and covered by a strong roof. This was of sufficient capacity to contain a considerable number of armed men, with all the necessary implements for undermining the foundations of the wall. They likewise provided several moveable scaffolds, which were higher than the walls of the town, from which they proposed to assail the defendants upon equal terms, and which were probably furnished with falling-bridges, on which the assailants might pass over to the top of the walls *.

Lord Hailes erroneously combined these two machines or devices into one; supposing the sow to have had several stages within, and to have been of sufficient height to surpass the walls of the town; adding, that it moved on wheels, and was calculated for the double purpose of conducting miners to the foot of the wall, and armed men to storm the top †. But Barbour expressly distinguishes the two machines; and it is obvious, that to undermine the wall, and to storm it at the same time and place, must have necessarily consigned the successful assailants aloft to destruction. One kind of these machines was

* Barbour, XVII. 597—602. † A. of S. II. 100.

analogous to the musculus of the Romans, the other to the vineus; but nothing resembling the battering ram of the ancients occurs in this siege, although their balistae and catapultae seem both to have been used, and perhaps by both sides. A. D. 1319. Sept.

In addition to these contrivances for aiding and facilitating the exertions of the land army, a number of vessels were prepared for making a powerful attack on the walls along the river side. In each of these a boat was hoisted to a height equal with the top of the walls, having a falling-bridge attached to each, and the top castles, or round tops of all these vessels were filled with armed men and archers; the latter intended for driving the defenders from the top of the wall, while the former were destined to storm the place, by passing across the falling-bridges *.

The nature and extent of the English preparations did not escape the vigilance of the governor of Berwick, who exerted every possible means of providing for its defence. By the advice and direction of Crab, the Flemish engineer, a very powerful engine was built

* Barb. XVII. 711—718.

A. D. 1319. Sept.

for throwing large stones, and was fitted with wheels that it might be easily and speedily conveyed to where ever its assistance was most necessary. This machine is called a *cran* or crane by Barbour, perhaps from having a long neck bent forcibly backwards, somewhat resembling a cran or stork, and seems to have been entirely analogous with the catapult of the Romans *. From a circumstance which will occur hereafter, in relating the incidents of the second assault, it would appear that more than one of these engines was constructed; as one was employed in repelling the land attack, while another was opposed against the English ships in the river. Owing to inattention to the clearly described use of this engine, as related by Barbour, and carelessly trusting to the antiquated orthography of the name, the cran has been considered as a machine merely calculated for hoisting a heavy weight on high, and then letting the weight descend to crush any thing below by its accelerated gravitation †. But it is clearly described by Barbour, as a very powerful projectile engine of vast elastic force, susceptible of different degrees of tension, and of project-

* Barb. XVII. 605—610. † A. of S. II. 100.

ing its shot or missile, in various directions, according to the management of the engineer. A. D. 1310. Sept.

Besides the cran or catapult, a considerable number of espringolds were constructed, which have been already mentioned as similar to the balistae of the ancients, and fitted for projecting large bolts or thick heavy darts called *muschettae*, winged with copper instead of feathers. Strong iron chains and hooks were provided, for grappling and retaining the sow and moving scaffolds; and a great store of highly combustible faggots were prepared for consuming these, when once secured within reach. These fire faggots were composed of dry branches of trees, intermingled with flax and tow, and impregnated with pitch and sulphur, bound up with iron hooks, into bundles as large as tons, or large casks *.

As upon the former assault, the Stewart assigned to each commander his own particular post in the circuit of the walls; taking upon himself as formerly, the charge of going the rounds from place to place, to supply reinforcements where ever necessary, from a

* Barb. XVII. 611—623.

A. D. 1319. body of reserve of which he took the command upon himself*.

13 Sept. All things being in readiness for a new assault, the English army was again drawn out, early on the morning of the eve of the Invention of the Cross †, or the 13th of September. The various divisions were arranged for the attack, and all of them marched on, each to its particularly assigned place, on the signal being given by sound of trumpet. As on the former occasion, the ditch was filled up, and the scaling ladders were applied. But, though every possible effort was made by the assailants to storm the walls, they were resisted with such fortitude and persevering gallantry, that they were repulsed in every quarter. Besides their ordinary hand weapons, the garrison employed several engines in their defence, which discharged large stones and other missiles among the assailants, of whom a considerable number were killed and wounded. Finding every effort unavailing for carrying the place by escalade, the sow was brought forewards about noon, for the purpose of attempting to undermine the walls under its shelter ‡.

* Barb. XVII. 627—631. † Id. ib. 634.

‡ Id. ib. 659.

While the sow was approaching the wall, the engineer, who had been made prisoner during the former naval attack, was brought to that part of the wall, and was threatened with instant death if he did not use his utmost efforts to destroy the sow. Accordingly, he caused one of the crans, formerly mentioned, to be planted directly opposite the sow; and having bent or strained the machine, and levelled it in the proper direction, he drew the trigger, and launched a vast stone at the approaching sow, but the stone flew beyond the mark. The English then endeavoured to hurry on their machine to the foot of the wall, expecting that it would there be under cover from the effort of the engine. A second discharge was made from the cran without effect, as the stone fell short; and the sow was close up with the wall before the cran could be a third time bent. The engineer again bent the machine, straining it to its utmost effort, and directed his third aim so accurately, that the shot, or great stone, flew high into the air, and came down with such violence, directly on the top of the sow, as to break its roof asunder, notwithstanding the strength and

A. D. 1319. 13 Sept.

A. D. 1319. 13 Sept. firmness of its construction *. Upon this mischance, the concealed miners and armed men rushed out, and the Scots tauntingly called from the top of the wall, that *the English sow had farrowed her pigs* †. Crab now grappled the sow with his hooks and chains, to prevent its removal, and threw a number of burning faggots over the wall upon the broken sow, which was soon reduced to ashes ‡.

While the English army was thus engaged on the land side, the squadron moved up to attack the lower wall along the Tweed; and the vessels which were particularly prepared for the assault, began to approach the wall, by the assistance of the tide of flood. But the engineer, who had the charge of the defence in that quarter, had the good fortune to hit one of the ships with a large stone discharged from a cran, in such a manner as to destroy a considerable number of the crew. Barbour says that the stone struck upon the *aspyne* of the vessel. The learned author of the Scots Etymological Dictionary explains this word as signifying the fastening or tackle;

* Barb. XVI. 662—698. † Id. ib. 699—701.

‡ Id. ib. 702—705.

but it appears to designate a particular part of the vessel which was filled with armed men. The English mariners were so much intimidated by this unexpected salute, that they withdrew their vessels, and did not again venture to advance to the attack *. A. D. 1319. 13 Sept.

On the land side, notwithstanding the destruction of the sow, the English still unremittingly persisted in their efforts to storm the walls; eager to regain their ancient military reputation, and hopeful of wearing out the strength of the besieged, by the length and fatigue of the defence; but were every where repelled and baffled by the determined and persevering bravery of the garrison. The gallant and vigilant Stewart, attended by a reserve of about an hundred chosen men, went continually from post to post around the circuit of the walls, encouraging his valiant troops to persevere in their efforts; relieving those who were wounded and unfit to continue the combat, and supplying reinforcements where ever they were most necessary. At length one soldier only remained of his escort, and an alarm was given that the English had broken down the barrier without the Marygate, close

* Barb. XVII. 711—723.

A. D. 1319. 13 Sept. by the great ditch of the castle, near where the turnpike gate now stands, at the upper end of castle-gate. The English had destroyed the draw-bridge at this place, and were pressing forwards to set the gate on fire. The Stewart immediately hastened to the place of danger, and drew a considerable reinforcement from the castle, which was not included in the assault. On their arrival he ordered the gate to be thrown open, and immediately sallied out against the enemy, whom he repulsed with great slaughter; and, after having extinguished the flames, he withdrew into the town and secured the gate *.

At length, on the approach of night, foiled in all their efforts, and repulsed with severe loss at every point of attack, the besiegers were constrained to withdraw from the fruitless assault. No record remains of the killed or wounded on either side, during this violent and protracted contest. A considerable number of the Scots garrison were slain, and not a few were wounded. Through the whole of this busy day, the women and children belonging to the garrison are said to have been continually employed in gathering up the ar-

* Barb. XVII. 763—790.

rows and stones which had been discharged by the English, which they carried to the walls for the supply of their own men; and yet, according to Barbour, not one of those were either slain or wounded *. A. D. 1319. 13 Sept.

While the English were occupied before Berwick, the King of Scots assembled an army for the purpose of endeavouring to raise the siege: But, having learnt the numbers of the English army, and the strength of their entrenchments, he prudently declined any attempt to attack them. Yet, knowing that the Stewart and his brave garrison, if not relieved, must at last be either worn out and mastered by reiterated assaults, or compelled to surrender, he determined upon making a powerful diversion in their favour, by invading England; in hopes to constrain King Edward to abandon his enterprise against Berwick, for the defence of his own dominions †.

Randolph and Douglas were accordingly dispatched into England, at the head of a chosen army of fifteen thousand men. By a singular good fortune, for their own honour, and the interest of their king and country,

* Barb. XVII. 791—826. † Id. ib. 491—504.

A. D. 1319. Sept. these gallant leaders of the Scots, during a long and glorious career, always preserved the most perfect concord in united military command. From an attentive consideration of circumstances, in the several expeditions which were entrusted to these distinguished leaders, it appears that Randolph possessed consummate military skill, combined with cool deliberate judgment, and the most perfect bravery. While Douglas, having a mixture of chivalric enterprise in his character, required at times to have his somewhat rash heroism attempered by the prudent councils of his brother in arms. In this invasion, the Scots had concerted a plan for carrying off the Queen of England, who then resided near York; and one of the English historians asserts that some of the Queens attendants had engaged to betray her into the hands of the Scots*. Being disappointed in this object, from which they probably expected to have been able to secure favourable conditions of peace in exchange for her liberation, the Scots army wasted Yorkshire to a great extent, carrying devastation on every side, as far as Rippon, which they destroyed. From

* Walsingh. 112.

thence they proceeded by Burroughbridge to Wetherby and Mitton, spreading havoc and devastation on every side *. In this cruel emergency, the Archbishop of York hastily collected near twenty thousand men of all ranks and conditions, archers, yeomen, priests, monks, clerks, and friars, and incautiously attempted, with this ill assorted, undisciplined, and incompetently armed assemblage, to check the destructive ravages of the Scots †. In the English writers, this army is only estimated at ten thousand men ‡.

A. D. 1318. Sept.

With this view, the Archbishop and his motley troops marched towards Milton, where the head quarters of the Scots then were, while numerous detachments plundered, wasted, and destroyed, the country all around. On receiving intelligence of the approach of this tumultuary army, Randolph called in all his marauding detachments, and prepared to receive the Archbishop, who appears to have been resolved to give battle. The Scots army was drawn up in two divisions, of which the van was commanded by Douglas, while the rear or main body was led by Randolph. The two armies

20 Sept.

* Barbour, XVII. 531—536. Ford. XII. xxxvii.
† Barb. XVII. 537—550. ‡ Thorkelowe, 145.

A. D. 1319. 20 Sept. came in sight of each other near Mitton, and both advanced with equal apparent eagerness for the combat. But, when the English had arrived within a short distance of the Scots vanguard, Barbour says three spears length, more probably three arrow shots or six hundred yards, they were seized with a sudden panic, and began to vacilate and give ground, losing the regularity of their array. Douglas, observing this appearance of irresolution and dismay, instantly charged them with the utmost rapidity. The English were broken and put to flight in an instant, and pursued for a great way with much slaughter *.

According to Barbour, only a thousand of the English were slain in this derout, of whom three hundred were of the clerical order †. But one of the English historians carries the number of the slain to three thousand; and adds, that a great number of the fugitives were slain or drowned in attempting to cross the Swale. In that ancient account, of this affair, the author honestly confesses that the English were quite inexperienced and undisciplined, and marched on to battle without any adequate commanders, and al-

* Barb. XVII. 575—581. † Id. ib. 583.

most without order; while the Scots army was entirely composed of experienced soldiers, under able leaders, and most excellently arrayed *. Owing to the number of ecclesiastics who fell in this affair, it was long afterwards known by the name of the Chapter of Mitton †. A. D. 1319. 20 Sept.

On receiving intelligence of the destructive inroad of the Scots, and the total defeat of the English army at Mitton, great diversity of opinion arose among the leaders of the besieging army before Berwick. In a council of war, held in the Kings presence, the southern English barons, whose estates lay remote from the course of the Scots depred tions, were eager to continue the siege to a successful conclusion. But the barons of the northern parts of England, dreading the entire desolation of their estates, and the utter ruin of their friends and vassals, urged the necessity of an immediate abandonment of the siege, that they might march with all expedition to avert the complete destruction of their own country ‡. The earl of Lancaster concurred in, or rather guided the opinion of the

* Walsingh. 112. Thorkelowe, 45.

† Barb. XVII. 587. ‡ Id. ib. 843--851.

A. D. 1319. 20 Sept.

northern barons, anxious for the preservation of his favourite manor of Pontefract, which was exposed to the ravages of the Scots. Edward seems to have declared for continuing the siege, preferring the vain glory of recovering Berwick to the substantial honour of defending his own dominions: And Lancaster is said to have withdrawn from the camp with all his followers, composing nearly a third of the English army, without the royal licence*. This estimate of the force under Lancaster must comprise the followers of the other northern barons who concurred with him in opinion; for Barbour, on a former occasion, expressly states the military followers of Lancaster as two thousand men, conformably with the authentic record in the Foedera.

Either deserted by the northern barons, or assured that they would quit his army in case of persevering in the siege, Edward drew off his army, and marched southwards, in hopes of being able to intercept the Scots on their return to their own country. But Randolph and Douglas, having received accurate intelligence of the abandonment of the siege of Berwick, and the subsequent motions of the English

* Barb. XVII. 852—862.

army, prudently eluded its encounter, and returned safely into Scotland by the western marches, covered with glory and carrying away much rich spoil and many prisoners *. It is said that the English army was divided into two great detachments on its return south, with the view of being better able to intercept the retreat of the Scots marauders; one division being under the immediate command of the King, and the other commanded by the earl of Lancaster: That Sir James Douglas passed through the army of the earl of Lancaster, on his return towards Scotland; and that the earl reciprocally passed unarmed through the midst of the Scots army †. A. D 1319. Sept.

One of the ancient English historians alleged that Lancaster was induced to desert the siege of Berwick, owing to information that Edward had rashly avowed his resolution to proceed to other matters after the recovery of Berwick, as he had not yet forgotten the cruel usage of his favourite Gaveston, whom he named on this occasion, *his brother Peter*. This author farther alleges that none of the Lancastrian party joined in the assaults

P 2

* Barb. XVII. 886—892. Lel. Col. II. 550.

† Malmsb. 194.

A. D. 1319. Sept. which were made upon Berwick; and that a report prevailed in England of Lancaster having received L.40,000 from the King of Scots for his friendship. He says, likewise, that Lancaster complained of these reports, so injurious to his reputation and honour, and cleared himself from the imputation by a sham battle of champions *. Another old English writer gives a different account of the circumstances which occasioned the abandonment of the siege of Berwick; alleging that Edward, with his wonted foolishness, had expressed his determination to give the command of the town to Hugh le Despencer, and of the castle to Roger Dammoury or de Tammori, when he should win Berwick; and that, disgusted with this arrangement, Lancaster marched off with his adherents †.

The account which has already been given from Barbour has much more appearance of probability than either of these stories, both of which ascribe evidently treasonable desertion to Lancaster, which was not charged against him on his subsequent trial. Despencer certainly was the political enemy of Lancaster and his party, but Dammoury was one

* Malmsb. 201. † Walsingh. 112.

of his warmest adherents and most confidential friends, of which we have convincing evidence still on record, from the earl himself*; and Walsingham even notices this circumstance †. The abandonment of the siege of Berwick seems to have been a judicious and indispensibly necessary measure. Randolph and Douglas had advanced far into England, at the head of a numerous well disciplined and victorious army, carrying havoc and desolation on all sides in their successful career. Had Edward persisted in remaining before Berwick, they might have extended their ravages to a much greater and more destructive extent; destroying in a few days what would have required the repose of a century to repair. A. D. 1319.

After the siege of Berwick was raised, the King of Scots visited that place, and bestowed the highest and justly merited encomiums on the gallant Stewart and his brave garrison, for their excellent conduct and matchless prowess in defence of the important fortress which had been committed to their charge. It had been experienced, in the late siege,

* Foed. Angl. III. 927. † Walsingh. 116.

A. D. 1319. that the lowness of the walls had occasioned great loss to the defenders, and had exposed the place to the imminent danger of capture. Robert gave orders, therefore, that the walls should be raised ten feet higher all round *. We have already noticed, on the authority of Barbour, that the walls of the town, at the time of this memorable siege, were so low that an assailant on the outside could reach the face of a defendant on the top of the wall with a spear. The Scots spear was about eighteen feet long; hence we may suppose the walls to have then been from fifteen to seventeen feet high; and the addition, now ordered by King Robert, may have raised them to between twenty-six and thirty feet in height.

Barbour bestows high encomiums on the gallantry and conduct of the Stewart.

" Mycht he haiff levyt quhill † he had bene
Off perfyt eld, withowtyn wene ‡,
Hys renoun suld haff strekyt § fer.
Bot dede ||, that walkis ay to mer ¶.

* Barb. XVII. 915--940.

† Until. ‡ Doubtlessly. § Extended far.
|| Death. ¶ Destroy.

With all hyr mycht, and forthy *
Had at hys worshyp sic enwy,
That in the flour of his youtheid
Sa endyt all hys douchty deid ‡."

* Therefore.

‡ Barb. XVII. 927—934.

CHAPTER XXII.

From the Abandonment of the Siege of Berwick in 1319, to the detection of a Conspiracy against Robert in 1320.

A. D. 1319. EDWARD being thus constrained disgracefully to abandon the siege of Berwick, and to submit to the mortification of seeing a large portion of his dominions ravaged with impunity, now began to entertain serious thoughts of concluding a peace, or truce at least, with Scotland. For this purpose, commissioners were
24 Oct. nominated on both sides; and a safe conduct was granted for the Scots negociators to come to Newcastle, to enter into conference with certain English commissioners*. The negociators named by the King of Scots on this occasion were, William de Soulis, Robert de Keith, Roger de Kirkpatrick, Alexander de Seton, and William de Montefichet, or Mow-

* Foed. Angl. III. 791.

at, all knights; with whom four ecclesiastics, William de Yetham, or Yetholm, John de Moundville, James Benne, Walter de Ganwaye, and three esquires, Robert de Lauder, William de Prenderguest, and William de Strabrock, were all joined in commission. From some unexplained cause, the English commission was not expedited for above a month after granting the safe conduct to the Scots commissioners. But it seems probable that the conditions of truce had been discussed and arranged in some other way, previous to the meeting of the commissioners of the two nations; as, of the same date with the English commission, the safe conduct to the Scots commissioners is renewed; power is granted to the English commissioners to validate and confirm the truce by swearing on the soul of Edward; and the English commissioners are appointed conservators of the truce*. It appears that the truce was to commence from Christmas 1319, and to last for two years; and that the commissioners were to continue their conferences, in the mean time, to endeavour to conclude a final peace between the two nations†.

A. D. 1319.

1 Dec.

* Foed. Angl. III. 803, 804. † Id. III. 805, 809.

A. D. 1319. 1 Dec. The articles of this truce have not been handed down; but, from certain papers referring to it, some of its conditions are known. By one article, the castle of Harbottle, which had been reduced by the Scots, was to be restored to the custody of the English commissioners; under condition, that if a definitive peace was not concluded before the Michaelmas immediately preceding the expiry of the truce, 29th September 1321, these commissioners were then either to restore the castle to the King of Scots, or should destroy it entirely. All intercourse was strictly forbidden between the two nations, during the subsistance of the truce. Scots ships driven in for shelter, or wrecked on the coast of England, were to be delivered up with their crews and cargoes to the proprietors, unless the legal property of Edward or some of his subjects, according to the laws relative to wrecks; and this was extended to Scots subjects, or the goods of Scotsmen in the ships of other nations*. Commissioners of conservancy of the truce were appointed by Edward for the eastern and western marches of England, with orders to cause the truce to be observed ac-

* Foed. Angl. III. 817.

cording to its tenor; to hear complaints of damages and transgressions, by good, lawful, and unsuspected men of their districts; to do justice conformably to the treaty; and to seize and imprison all violators of the truce, until the kings pleasure respecting them should be made known*. A. D. 1319.

In one of his dispatches to the Pope, Edward notifies the truce or cessation of hostilities which had been concluded with the Scots, and the subsistance of negociations for a final peace. In this letter he softens his language respecting the Scots, mentioning Robert Bruce our enemy and his adherents, instead of the usual language of rebels and accomplices †. It singularly happened, that while the two British courts were occupied in negociations for ending hostilities, the Pope should have chosen, 14th November 1319, to address a bull of vast length and full of rancour, ordering the cardinals Jocelin and Lucas to reiterate the spiritual censures against Robert and his adherents, at whatever times and places they might think expedient ‡. Even after the settlement of the truce, 8th 4 Dec.

* Foed. Angl. III. 816. † Id. III. 806.

‡ Id. III. 797.

A. D. 1320. 8 Jan. January 1320, the archbishop of York, and the bishops of London and Carlisle, are commanded to excommunicate Robert every Sunday and day of festival, by bell and candle*. It is hard to say whether this seemingly unreasonable and ill timed exertion of zeal, by the obsequious Pope, proceeded from some visionary scheme of policy in Edward, with a view to intimidate the Scots, or if it flowed spontaneously from the papal chancery.

A modern English author alleges, that the Scots immediately violated this truce, by invading England, and asserts that they burnt the suburbs of York, and took John de Bretagne earl of Richmond prisoner. This must, however, be a mistake, founded upon a careless perusal of Walsingham; who certainly gives an account of the earl of Richmond being made prisoner at this time, though he relates the same incident as taking place long after the expiry of this truce, as will be noticed in the sequel at its proper place†.

During the interval of tranquillity which was afforded by the cessation of hostilities, the Scots determined to justify their cause

* Foed. Angl. III. 810.

† Tyrrel, 278. Walsingh. 113. 116.

and conduct, by addressing a memorial to the Pope*. Accordingly, in a parliament at Aberbrothock, or Arbroath, a justificatory manifesto, or memorial, was drawn up in the name of the earls, barons, freeholders, and whole community of the Scots nation, in which they justified their conduct, in defending the liberties and independance of their country against the unfounded pretensions of the King of England, and deprecated the partiality of the holy father in taking the part of their enemies. A. D. 1320. 6 April.

After a puerile preamble, enumerating an imaginary series of an hundred and thirteen kings, from Fergus the first, who was supposed to have reigned 330 years before the Christian era, and a fanciful account of the establishment of Christianity in Scotland by the Apostle Andrew, they proceed to remonstrate with the Pope in manly and elevated language, worthy of the noble cause in which they were engaged. They describe the insidious conduct of Edward I. who invaded and oppressed their liberties in the guise of a friend and ally, and paint in glowing colours

* Ford. XIII. ii. iii. Anders. Dipl. Scot. No. 51, 52. See likewise Appendix to Vol. II.

A. D. 1320. 6 April. the evils inflicted upon Scotland by his tyranical conduct. They celebrate the valour and sufferings of their magnanimous sovereign, in vindication of their liberties and of his own inheritance: Declaring their fixed determination to adhere to him in defence of their own liberties and his just rights, which he had truly merited. And that were he to abandon them, or should endeavour to reduce them under the dominion of England, they would expel him from the throne as a public enemy, would chuse another king, and would not submit to England while an hundred of them remained alive. After deprecating the partiality of the Pope, they concluded by declaring, if he should persist in that conduct, "They should "hold him guilty in the sight of the Al-"mighty, of the loss of lives, perdition of "souls, and all the other miserable conse-"quences which might ensue from the con-"tinuance of war between the two nations."

25 April. This spirited remonstrance was probably transmitted to the Pope by James Cuningham and Ronald More, who received a safe conduct from Edward to pass with their suit, by the ordinary high way, through England on their way beyond seas*. Lord Hailes was

* Fœd. Angl. III. 829.

of opinion that it was sent by two other messengers, whom we shall see afterwards dispatched by Robert to the papal court in the end of August of this year 1320 *. But it is not probable that a matter of such great importance would be so long delayed; and the present mission seems to have paved the way for that second and more important embassy, to be afterwards noticed. A. D. 1320. 25 April.

In the midst of this apparently conciliatory disposition, after having concluded a truce with the Scots, and while negociations were going on for a final peace between the hostile governments, Edward could not abandon his visionary schemes of reducing Scotland. In this spirit he recommended an English friar to the Pope to be appointed bishop of Dumblane. He had formerly urged the deposition of Lamberton from St Andrews, and the appointment of an Englishman to that diocess; and he appears, about this time, to have solicited the appointment of another Englishman to the bishopric of Glasgow, instead of the patriotic Wisheart. But all these requests were judiciously eluded †. 25 June.

* A. of S. II. 107. † Foed. Angl. III. 794. 839. 848.

A. D. 1320. Aug.

Notwithstanding the apparent unanimity of the Scots barons to defend their national rights and liberties, and to maintain the government of their heroic king, there were some concealed traitors even among the patriots who had signed the manifesto to the Pope. William de Soulis, and some other persons of quality, appear to have entered into a conspiracy against Robert, the particular object of which has not been distinctly handed down. The detection of this plot is attributed by Barbour to the information of a lady, whose name he does not mention*. According to Fordun, the countess of Strathern confessed her participation in the plot, and was punished by imprisonment for life†. By a comparison of these two accounts, it may be concluded that the conspiracy was revealed by that lady. In a parliament assembled at Scone, the conspirators were put upon their trial: Sir William Soulis, the hereditary butler of Scotland, and the countess of Strathern, were convicted on their own confessions, and were condemned to perpetual imprisonment. Sir Gilbert Malherb and Sir John Logie, with Richard Brown an esquire, were found guilty

* Barb. XIX. 23. † Ford. XIII. i.

of treason, and suffered the punishment ordinarily inflicted upon traitors. Roger de Mowbray, who was implicated in the conspiracy, having died before the meeting of parliament, his dead body was brought to the bar, and the ordinary sentence against high treason was pronounced upon his insensible remains; but the king mitigated the rigour of the law, and permitted his body to be committed to the grave. Sir Eustace Maxwell, Sir Walter Berclay sheriff of Aberdeenshire, Sir Patrick Graham, Hamelin de Troupe, and Eustace Rattray, were all tried and acquitted*. A. D. 1320, Aug.

To David de Brechin, the nephew of the king, who had served with reputation against the Saracens, the conspirators had revealed their plot under an oath of secrecy. He condemned their enterprise, and refused to participate in its execution; but, entangled by his fatal oath, he concealed the treasonable conspiracy. Notwithstanding his near relation to the king, his personal merits, and the favourable circumstances in his case, he was made an example of rigorous, yet impartial justice, and his fate was much deplored†.

* Ford. XIII. i. † A. of S. II. 105.

A. D. 1320. Aug.

Owing to the loss of our parliamentary records, it is impossible, at this distance of time, to discover the precise nature of this conspiracy. Fordun merely says that Brechin and the rest were convicted of treason. Barbour, who improperly places his account of this conspiracy posterior to that of the invasion of England by the Scots in 1322, says, that Lord Soulis meant to slay the king of Scots, and to take possession of the throne of Scotland; and that he drew Sir Gilbert Malherb, Sir John of Logie, Richard Brown, and others into his plot: That Soulis and the other conspirators, having three hundred and sixty squires in their suit, were all arrested at Berwick: That the leaders confessed their guilt before the parliament; Malherb, Logie, and Brown were executed, and Soulis died in confinement in Dunbarton castle *.

This William de Soulis was probably the grandson of Nicolas de Soulis, who claimed the crown at the competition, in right of his grandmother the daughter of Alexander II. and could her legitimacy have been established, he certainly would have excluded all the other competitors. William was one of the

* Barb. XIX. 1—52.

commissioners from Scotland for negociating a peace with England; and it may be conjectured, consonant with the many puerile conceits which had often been resorted to by Edward in the course of his wretched policy, that he may have formed a plan for raising up a party in Scotland, by fostering these obsolete pretensions of Soulis, to oppose and assassinate the illustrious Bruce, against whom he had so long found himself unable to contend in arms. A. D. 1320. Aug.

Lord Hailes conjectured that Sir John Logie, who is said by Fordun and Barbour to have been condemned and executed for participation in this plot, had been actually forfeited at an earlier period; and he grounded this opinion on the following strong circumstance. In the archives of the town of Perth, there is a charter from Robert I. to the monastery of Blackfriars of that place, dated on the 2d February, in the fourteenth year of his reign, in which mention is made of the lands of Logie, which had belonged to the late Sir John de Logie, and which he had forfeited. Therefore, as Robert ascended the throne on the 27th March 1306, the 2d February in the 14th year of his reign must have been of the

A. D. 1320. Aug. year 1320; whereas the forfeiture of the conspirators, as above related, did not take place till the August of that year, six months posterior to the date of the forfeiture*. The inference is rigidly just, and the discrepancy between the relation of Fordun, corroborated by Barbour, and the tenor of that charter, is utterly irreconcilable; unless by supposing the date in the charter to have been erroneous or mistaken.

With as much confidence as if he had been present at the trial, Boece relates the circumstances of this mysterious event in a very extraordinary manner, and in which he has been less or more followed by most of our later historians. He alleges that, in an assembly of the Scots parliament, Robert required his barons to exhibit the titles by which they held their lands; on which they all drew their swords, exclaiming, that by arms they had won their possessions, and by arms they would maintain them against all encroachments. Intimidated by this unanimous opposition, the king desisted from his requisition, but secretly entertained resolutions of revenge. And the barons, dreading the effects of his resent-

* A. of S. II. 107.

ment, conspired to betray their country to England*. A. D. 1320. Aug.

This story, like most of what Boece has superadded to true history, in the fabulous composition which he calls the History of Scotland, is an ill connected and improbable tale; and is obviously borrowed from a similar incident which is said to have happened in England in 1278, during the reign of Henry II.†; only that it there relates to one peer, Warrenne earl of Surry, while the counterpart in Boece, for better effect, is laid in full parliament.

Even supposing this requisition to have been made, it cannot be supposed that all the Scots barons should have been so much offended, as some of them had received original grants from Robert, and many of them had received renewals of their charters from him. Neither, indeed, ought they to have been alarmed at a demand which was perfectly conformable to the law and practice of the age‡.

* Boece, XIV. 305. † Ann. of Waverl. 235.

‡ Quon. Attachiam. XXV.

A. D. 1320. Aug.

We have formerly had occasion to notice, on the authority of Barbour, that Robert, immediately after the successful issue of the battle of Bannockburn in 1314, had issued a proclamation by advice of his council, requiring all proprietors of lands in chief, or holding of the crown, to produce their rights within a year, under penalty of forfeiture. That measure was obviously calculated for producing a certain revenue, to which the crown and its ministers had an unquestionably legal right; for rendering the rights of land distinct, which had fallen into confusion and uncertainty through the revolutionary changes of the state after the demise of Alexander; and for reclaiming to their duty those barons who still adhered to the English interests, or forfeiting their possessions to the crown, by which the sovereign might be enabled to reward the patriotic services of his loyal adherents. Accordingly, large and valuable extents of land, in various parts of Scotland, were resumed by the crown, from those who servilely preferred the favour of the king of England to the honour and independance of their country, and the service of their own legitimate sovereign. And these lands had been bestowed upon many of

his faithful and gallant followers, who had assisted in the glorious cause of Scotland, to defend his rights, and to assert and maintain their own liberties and the independance of their oppressed country. A. D. 1320. Aug.

According to Fordun, this parliament of Scone, in which so much noble blood had been shed, was long remembered by the vulgar under the denomination of the Black Parliament*. Yet Fordun only records the execution of one baron, two knights, and one esquire on this occasion, and that of one of the knights, as already observed, is problematical. Soulis, who appears to have been the head of the plot, and the countess of Strathern, who seems to have been a participator, though she afterwards lessened her guilt by giving timely information, were only condemned to imprisonment for life, as has been already noticed.

After giving an account of this conspiracy, and of the punishment of those concerned, Barbour relates the following singular incident respecting Sir Ingelram or Ingram Umphraville. He was so much dissatisfied by the

* Ford. XIII. iii.

A. D. 1320. Aug. rigour with which the King of Scots had prosecuted and capitally punished Sir David de Brechin, that he requested and obtained leave from the king to dispone his lands in Scotland, and immediately retired into England, where he was graciously received by Edward *.

* Barb. XIX. 73—127.

CHAPTER XXIII.

From the Detection of a Conspiracy against the King of Scots, in August 1320*; to the Concert between the Scots and the Earl of Lancaster, in* 1321*; including the Overthrow of the Lancastrian party, in March* 1322.

THE Pope seems to have been alarmed at the determined language in which the Scots barons and commons had addressed him from Aberbrothock, in the bold manifesto which has been mentioned in the foregoing chapter. He now directed a bull or admonitory epistle to Edward, in which he earnestly recommended the conclusion of a peace with Scotland. In this bull, the Pope evidently borrows some expressions from the Scots remonstrance, almost in their exact words. Thus, in the Scots address, while speaking of the war, they say "*coporum excidia, animarum exitia*, et cetera quæ sequuntur *incommoda*, vobis ab Altissimo credimus imputanda." And the Pope, in this bull, re-echoes their expressions respecting the

A. D. 1320.

10 Aug.

A. D. 1320. 10 Aug. consequences of the war: "Quot *animarum exitia, excidia corporum*, et alia *incommoda*, secum trahat*." The only difference is, that the holy father places the perdition of souls foremost in the list of evils, while the warlike barons begin by mentioning the loss of lives. In this bull the Pope gives Robert the ambiguous title of Regent of Scotland.

Encouraged by this slight dawn of returning papal favour, of which he had probably received information from the messengers who carried over the Scots manifesto in April, he now deputed Sir Adam o' Gordon and Sir Edward Mambuisson as his ambassadors to the Pope, to solicit a repeal of the sentence of excommunication. In that procrastinating policy which ever guided the papal court, the Pope pretended that the powers and instructions which had been confided to the Scots ambassadors were not sufficiently full and explicit; but he suspended the effects of the excommunication and interdict until the
18 Aug. first of May 1321, that the King of Scots might renew his solicitations for reconciliation with the holy see, in more ample form. His holiness condescended to make excuses to the

* Foed. Angl. III. 846.

King of England for this lenity, in permitting Robert to be heard against the sentence of excommunication; and to the papal dispatch on this subject, we are indebted for a knowledge of the present negociation, and the names of the Scots embassadors *. A. D. 1320. 18 Aug.

Although Edward had uniformly persisted in his endeavours to prevent a reconciliation between Robert and the Pope, or rather employed the venal authority of the sovereign pontif, as a means of weakening and reducing the Scots, he yet deemed it now expedient to appoint commissioners for negociating peace with Scotland; for which purpose, authority was granted to the archbishop of York, the bishop of Carlisle, the archdeacon of Middlesex, and Geoffry le Scroop, to treat with the commissioners of Robert Bruce and his accomplices †. Intelligence of this intended negociation having reached the Pope and the King of France, both of these princes requested that envoys, on their part, might be present and assissting at the proposed congress. To his brother of France, Philip the Long, who pretended to consult the honour and interest of Edward, in this request, the King of 15 Sept. 5 Oct.

* Foed. Angl. III. 848. † Id. III. 851.

A. D. 1320. 5 Oct. England returned many thanks for the manifestation of his good will upon the occasion, but politely evaded or refused his concurrence, under pretence that the French envoys could not possibly reach Carlisle in time to participate in the pacific negociation *. He consented, however, to the request of the Pope; but 11 Nov. required that Rigand, the bishop elect of Winchester, might be one of the legates or envoys of the Pope, on this occasion †. In these cautious steps, Edward plainly evinced his distrust, both of the Pope and the King of France.

During these open manifestations of fair pacific negociations, Edward still entertained the visionary hope of exciting dissentions among the Scots, and of reducing them under subjection by vain schemes of weak policy. 17 Nov. Even on the very day on which he granted a safe conduct for the Scots commissioners to come to Carlisle, to enter into conferences for peace with his own envoys, he issued a commission to five persons, among whom David earl of Atholl was one, giving them authority to receive to his peace and favour, all Scotsmen of every rank who might be found willing to

* Foed. Angl. III. 853, 854. † Id. III. 860.

reconcile themselves to the English government*. In farther prosecution of this object, he afterwards authorized the same commissioners to grant pardons and reversals of forfeiture to all the inhabitants of Scotland, who should agree to submit to his authority, and to free them from the consequences of all past treasons, felonies, and other transgressions. From this amnesty, all rebels of English birth, or who laid claim to lands in England, were excepted†. By this last commission, even those who had participated in the slaughter of Cumyn, might have been intitled to take the benefit of the profferred indemnity; by which one main ostensible object of the war, especially of the papal concurrence in the English politics, was overlooked or abandoned.

A. D. 1320. 17 Nov. 11 Dec.

It would appear that no other consequences flowed from the negociations at Carlisle, except an agreement to continue the existing truce which had been formerly agreed upon. But, about this time, Edward authorized John Pilmor, a monk of Couper, to come into England upon a message from the King of Scots to the younger Hugh le Despenser and Bar-

1321. 12 Jan.

* Foed. Angl. III. 862. † Id. III. 864.

A D 1321. 12 Jan. tholemew de Badlesmere *. The nature of this communication between the King of Scots and the reigning favourite of the King of England, does not appear; but it may be presumed to have h d a tendency towards renewing the 19 Jan. negociations for peace: As very soon afterwards, a commission was granted to thirteen persons to treat of peace with the Scots †. In this new attempt towards pacific negociation, envoys from France, and a nuncio from the Pope, were permitted to go into the 4 Feb. north of England, on certain affairs, certainly to assist at the meeting of the commissions of the two hostile nations; and a safe conduct was granted for a courier from the King of France to pass through England into Scotland ‡.

4 Mar. Owing to some sudden cause of dissatisfaction, perhaps, because the Scots commissioners refused to concede any feudal supremacy over Scotland to the crown of England, which was pertinaciously insisted on through the whole of this reign, Edward made a most bitter complaint against Robert to the Pope, and required the spiritual censures to be revived and aggravated to the uttermost §.

* Foed. Angl. III. 865. † Id. III. 866.
‡ Id. III. 867, 868, 869. § Id. III. 870.

A. D. 1321, 14 May

In the midst of these busy negociations, public as well as private, the Pope had dispatched the bishop of Winchester, accompanied by one William, bishop elect of Vienne, with letters to Robert. But these letters, having either been communicated to Edward, or intercepted by his orders; and being found to contain certain words or expressions which, in his opinion, were unsafe or improper to be communicated to the King of Scots, Edward refused to allow them to be forwarded *. What these expressions were, with which Edward was so much dissatisfied, no where appears; but it may perhaps be presumed, that the Pope had either conceded the royal title to Robert, or had held out a prospect of reconcilement with the church.

We have no account of the negociations for peace between the two nations, but they appear to have broken up fruitlessly towards the end of August 1321; as at that period Edward made a violent complaint to the Pope, of the continued excesses and obstinate rebellion of the Scots, and again required the processes and excommunications against them to be renewed and enforced †. And at the 25 Aug.

* Foed. Angl. III. 884. † Id. III. 891.

A. D. 1321. 25 Aug. same period, obviously in contemplation of a renewal of the war, he issued orders for the demolition of the castle of Harbottle, which must otherwise have been given up to the Scots at the expiry of the subsisting truce*.

We have lately seen the King of England using his utmost endeavours to excite dissentions in Scotland, and to employ the treasons of Scotsmen in aid of the pretensions, which he was unable to enforce by honourable means. But the dissentions in his own kingdom now required his whole attention. These dissentions were produced by the weak favouritism of his own government, and the turbulence of his barons, indignant at seeing the whole stream of court favour lavished upon the Despensers. In endeavouring to illustrate this portion of the history of Scotland, it does not seem necessary to give a detailed account of the dissentions in the English government: Yet as they materially contributed to enable the King of Scots to assert and defend his own rights, and to maintain the liberties and independance of his country, some general notice of them appears necessary to explain the narrative. Some account has accordingly

* Foed. Angl. III. 893.

been already given of the factious dissensions occasioned by the entire devotion of Edward to his early favourite Gaveston, who at length fell under the hatred of the English nobles, in 1312. Incapable, from the imbecility of his character, or owing to early habits of dissipation and fondness for frivolous pleasures, to give any long continued application to state affairs, Edward had again given himself totally up to the guidance of a new favourite. A. D. 1321.

Hugh le Despenser, the chamberlain of his household, of an ancient family and agreeable person, and possessed of an ample fortune, had acquired his entire confidence and affection as completely as had ever been enjoyed by Gaveston. Like the former favourite, he abused the confidence of his facile sovereign, and employed his power and favour to oppress the subjects for the gratification of his own unbounded avarice. Debauched, insolent, and rapacious, he became the object of universal terror and abhorrence; and all who had experienced his extortions, or who feared to become the victims of his oppression, hastened to conspire his ruin that they might avert their own. This wide spread abhorrence of the

A. D. 1321. favourite, who monopolized the whole power of government, produced long dissensions and strenuous opposition to the measures of the court, and even ended in a civil war; by which the power and influence of the English crown was long exceedingly impaired, and through which the King of Scots was enabled to consolidate his government, and to restore his country to prosperity and good order *.

This dispute between Edward and his barons had proceeded to extremity; and the extreme violence with which the Lancastrian party conducted their opposition to the measures of Despenser, had occasioned an irreparable breach between the King of England and that powerful faction; and they now entered into a treasonable correspondence with the Scots. The particulars of this plot or concert between the Scots government and the Lancastrian party are by no means clearly explained by the ancient English historians, and are only to be guessed at by such remnants of their correspondence as have been preserved in the Foedera Angliae. The first document respecting this negociation of the earl of Lancaster with the Scots, is the fol-

* English History of Edward II.

lowing passport or letter of safe conduct from Sir James Douglas to certain messengers from the Lancastrian party. A. D 1321. Dec.

"To all who may see or hear this letter, "James Lord of Douglas wisheth health. "Know that I have given sure and safe con-"duct to Richard de Topclif and his com-"panion, and their servants, safely to enter "Scotland, and safely to abide and return. "Wherefore I request all my freinds, and "command all my people, that they offer no "injury, molestation, or disturbance to the "said Richard or his companion, or to their "property, nor suffer such to be done to the "utmost of their power, in coming into, re-"maining in, or returning from Scotland. In "testimony whereof, I have affixed my seal "to this letter, which is to continue in force "from this date to the feast of St Hilary next "ensuing [13 January 1322.] Written at Etle-"bredhelys on the morrow of St Nicholas "[7 December] 1321 *." 7 Dec.

At this period the King of Scots appears to have been confined by indisposition, and 1322.

* Foed. Angl. III. 907.

A. D. 1322. 16 Jan. the earl of Moray was at the head of government, in quality of his lieutenant. In this capacity, he granted letters of safe conduct in corroboration of the foregoing from Douglas, to continue in force from the 16th January, the date of the record, until the next ensuing Assumption of the Virgin, or the 15th August*. This passport is dated from Corbridge in Cumberland.

Encouraged by the prospect of an alliance with the powerful malcontent party, the Scots appear to have invaded Northumberland and Durham, immediately after Christmas 1321, upon the expiry of the two years truce, and Douglas appears to have conducted the army on this occasion; but no record now remains of the circumstances attending this invasion. The Scots army seems to have been more than ordinarily inactive, awaiting perhaps the issue of the negociations with the Lancastrians. Feb. About this time, finding himself sufficiently occupied with the dissentient barons, now almost in open insurrection, Edward authorised Andrew de Hartcla to treat for peace and concord with Robert Bruce and his accomplices, as he still affected to call them, or to conclude

* Foed. Angl. III. 924.

a truce or armistice, if a final peace could not be agreed upon *. But no consequences seem to have followed from this attempt to negociate, as the Scots had already commenced to treat with the malcontents. A. D. 1322. 4 Feb.

The earl of Moray appears now to have taken up his residence at Cavers, near Jedburgh, on the southern borders of Scotland, to be at hand for conducting the negociation with Lancaster and his adherents; as he granted letters of safe conduct from that place, to John de Mowbray and Roger de Clifford, with forty horsemen in their company besides servants, to come into Scotland, to abide there, and to return in safety; which letters were to continue in force until the 14th of March next †. 16 Feb.

From the plea of the crown, or trial of the earl of Lancaster, it farther appears, that the earls of Lancaster and Hereford, and their malcontent associates, had sent John de De num into Scotland, having power to treat with the King of Scots or the earl of Moray, or either of them whom he should first meet; and that the proposed terms of treaty were: 1. That the contracting parties should mutually have the same friends and enemies. 2.

* Foed. Angl. III. 926. † Id. III. 926.

A. D. 1322. Feb.

That the Scots should invade England, Wales, or Ireland. 3. That, if Robert were prevented by indisposition or other important cause from engaging personally in the conduct of the expedition, Randolph and Douglas were to undertake it jointly with all their military powers. 4. In return for the Scots assistance, the English malcontents engaged, when the dissensions in England should be happily terminated, that they would employ their best endeavours to procure the establishment of a solid and equitable peace between Scotland and England; whereby the Scots crown should be secured to Robert and his heirs, and the Scots nobles should enjoy their estates with the same freedom and immunities as were then possessed by the nobility of England*.

In this treaty, or project for a treaty, which was found upon the earl of Hereford when he was slain at Burroughbridge, the earl of Moray is stiled seneschal or stewart of Scotland. It is impossible to explain the meaning of this appellation of the earl of Moray, which is frequently repeated in the papers relating to this concert, as published in the Foedera, as Walter the hereditary seneschal or high stewart was of full age and in possession

* Foed. Angl. III. 936—940.

of this important office. The only way to account for it is by supposing that Mr Rymer, in copying the ancient records, has made a continued mistake on this subject, by omitting the conjunction. And that instead of Randolph, earl of Moray, seneschal of Scotland, the original deeds expressed Randolph, earl of Moray, *and* the seneschal or stewart of Scotland.

A. D. 1322. Feb.

Edward was greatly alarmed by this treasonable association of the malcontent barons, combined with a Scots invasion and concerted alliance between the Scots government and his rebellious subjects. Besides summoning the whole military power of the loyal barons of his kingdom to assemble at Coventry, he commanded the whole nobility and clergy of England to send all the armed men, both cavalry and infantry, which they could possibly collect, to the rendezvous. He applied earnestly for assistance to the King of France, the earl of Hainault, and many individual French nobles. He urged the states of his dominions of Aquitain to hasten their promised aid, and requested a passage through France for these troops *.

16 Feb.

* Fœd. Angl. III. 927, 929, 930.

A. D. 1322. Feb. The projected concert between the Scots and Lancastrian party was frustrated by delay; perhaps occasioned by a want of sufficient mutual confidence. A messenger from the malcontents to Douglas, who ought to have delivered his dispatches by the 7th of February, seems to have been unable to find him, and was not answered until the 17th of that month. And even then, he only carried letters of safe conduct for a deputation to enter upon farther conference *. Thus above two months were wasted in jealous preliminaries, long before which they ought to have been ready to carry on their conjunct operations; and Edward acquired full leisure to bring the whole loyal force of his kingdom into action. While Lancaster and his associates and their Scots allies were only adjusting the terms of their concert and collecting their forces, Edward took the field, and March. totally disconcerted their projected union. The army of the Lancastrians had taken post at Burton-upon-Trent, after abandoning the siege of the castle of Tykhill. But, being dislodged from that place, they retreated through Tutberry to Pontefract †. It is said that

* Foed. Angl. III. 926. † Knycht 2539.

Lancaster was urged by the barons of his party to retreat from Pontefract to his castle of Dunstanburgh in Northumberland: That he objected to this measure, as giving reason to surmise that he held intelligence with the Scots; whereupon Sir Roger Clifford drew his dagger, and threatened him with instant death unless he agreed to the proposal *. A. D. 1322. March.

The Lancastrians found themselves under the necessity of quitting Pontefract, and continuing their retreat towards the north, probably in hope of receiving assistance and protection from Douglas, or of taking refuge in Scotland. But they were intercepted in their 16 Mar. retreat by a party of royalists under the command of Sir Andrew Hartcla, warden of Carlisle and the western marches, and Sir Simon Ward, sheriff of Yorkshire. A fierce encounter took place, in which the earl of Hereford and some others of the malcontents were slain, and their army entirely defeated and dispersed. The earl of Lancaster fled, and took refuge in a sanctuary; but was either taken thence by force, or surrendered himself next 22 Mar. day. He was carried to Pontefract, where he was tried in the presence of Edward; and,

* Lel. Col. II. 464.

A. D. 1322. March. being found guilty of high treason, was condemned and beheaded *. The people of England, who considered him as a patriot, now affected to hold him as a saint and martyr, and imagined that many miracles were performed at the place of his execution; and so great was the concourse of people on that account, that a guard of well armed Gascon soldiers were appointed to guard the hill for some time, with orders to disperse the votaries of this new saint †. Not many years afterwards, Edward III. solicited the canonization of this personage, undoubtedly a traitor; but he had headed the opposition against the detested administration of the Despencers, who fell early under the mortal displeasure of the third Edward, and were particularly obnoxious to his mother and Mortimer, who directed all the measures of the first years of his reign.

The important services of Sir Andrew Hartcla on this occasion were rewarded by a grant of the dignity of earl of Carlisle to him and his male heirs, together with an yearly pension of a thousand marks, equal in

* Foed. Angl. III. 936--940. Walsingh. 116. Lel. Col. II. 464. † Lel. Col. II. 466.

efficacy to ten thousand a year of our modern money *. Numbers of the barons who had taken part in the Lancastrian insurrection were condemned and executed; and, by the extinction of this faction, which had long given great disturbance to his government, Edward seemed to have consolidated and established the power of his crown upon secure and lasting foundations. A. D. 1322. March.

* Foed. Angl. III. 943. Lel. Col. II. 466.

CHAPTER XXIV.

From the Overthrow of the Lancastrian Party, in March 1322; to the Retreat of Edward from an ineffectual Invasion of Scotland, in August of the same year.

ELATED beyond measure by the complete
A. D. 1322. March. suppression of the Lancastrian rebellion, and the utter ruin of that party, so long hostile to his government, Edward now conceived that nothing could resist the power of his arms. Like all weak princes, he tampered with trifling expedients, while under adverse circumstances, and believed himself irresistible on the first transient gleam of returning fortune; and fondly imagined that the Scots, whom he always denominated his enemies and rebels, must now be speedily constrained to submit to his authority. In this state of
25 Mar. proud and sanguine expectation he exultingly wrote to the Pope in the following terms.

"Give yourself no farther solicitude about a peace or truce with the Scots. The exigence of my affairs inclined me formerly to listen to such proposals; but I am now resolved to establish peace by force of arms *." Yet, in this dispatch, he strongly urges the Pope to revive and aggravate the processes and sentences against the Scots, who then invaded England; being thus still anxious to strengthen his own power by the spiritual arms. A. D. 1322. 25 Mar.

Edward exerted every endeavour to collect a sufficient force for his intended invasion and subjugation of Scotland; but his measures were either so unaccountably procrastinated, or so tardily complied with by his subjects, that above four months elapsed before he was enabled to take the field; during which period the Scots wasted the six northern counties of England, Northumberland, Durham, York shire, Cumberland, Westmoreland, and Lancashire, certainly doing more injury than would have sufficed to defray the whole expences of the royal army of England in a protracted campaign in Scotland. He demanded the assistance of two hundred crossbows and two hundred lances, all on foot, 2 April.

* Foed. Angl. III. 944.

A. D. 1322. 2 April. from his subjects of Aquitain; whom he likewise required to send two thousand quarters of wheat, and a thousand tons of wine to Newcastle, for the use of his army *. Hav-
11 May. ing formerly summoned the military power of England to assemble at Newcastle about the end of May, he now prorogated that assemblage to the 25th of July, and apparently at the request of a parliament then sitting at York †. In this parliament, one foot soldier, properly armed, was granted from every village and hamlet in England, and proportional numbers from the larger towns and cities, to serve in the Scots wars for forty days at the expence of the inhabitants: And large subsidies were granted by the nobles and landed proprietors, cities, towns, and burghs, and by the clergy, for defraying the expences of the intended expedition ‡. A fleet was
20 May. appointed to attend the army with supplies of provisions; and a considerable squadron was ordered to act against the west coast and islands of Scotland, under the command of Sir Robert Leyburn; who was authorised to

* Foed. Angl. III. 945, 946. † Id. III. 952.

‡ Id. III. 952, 953, 954.

receive the inhabitants of these parts in submission *. A. D. 1322.

While the King of England was thus anxiously exerting every nerve in preparations for subduing Scotland, the Scots invaded England by the western marches, penetrating through Cumberland and Westmoreland into Lancashire, which they plundered and wasted at their pleasure, altogether unresisted and unopposed, and returned into their own country loaded with spoil †. This invasion of England appears to have taken place in June, as orders then were issued to Hartcla and John de Penrith, the wardens of the west and east marches, to collect the whole fencible men of Cumberland, Westmoreland, and Northumberland, from sixteen years of age to sixty, as well cavalry as infantry, to oppose the Scots then invading England ‡. June. 13 June.

No sooner had the Scots army returned from the plunder of the north of England, and had safely deposited their booty, than a fresh and more serious invasion was undertaken. In this new expedition, the Scots forces were divided. Robert himself, at the head of a chosen band,

* Foed. Angl. III. 955. † Ford. XIII. iv.

‡ Id. III. 959, 960.

A. D. 1322. July. entered England by way of Cumberland. Advancing in the road to Lancashire, spreading havoc and devastation on every side, he was there joined by the other division of his army under Randolph and Douglas, who had penetrated by the dry or middle march. The united army continued to advance through Lancashire, plundering and wasting the country without mercy, and only sparing a few religious houses, destroying the growing crops, and every thing that they could not carry off. They returned towards Scotland by way of Carlisle, with an immense booty, and encamped five days in that neighbourhood, as if braving the power of England. In this destructive inroad the Scots are said to have employed twenty-four days, having remained in England from the 1st to the 24th July, both inclusive*.

2 July. In reference, apparently to this irruption, Edward reiterated his orders for collecting all the fencible men of the four northern counties of Northumberland, Cumberland, Westmoreland, and Lancashire, and joined Henry de Bellmont in commission with Hartcla for protecting the borders †. An old English writer

* Holings. Sc. Ch. 224. † Foed. Angl. III. 960, 961.

in describing this last invasion of the Scots, says, "That they passed through the vale of Furness, and laid waste the county of Lancashire on every side without meeting any opposition; and that they collected an immense booty in gold, silver, cattle, ecclesiastical ornaments, and household furniture of all kinds, carrying off whole waggon loads of the valuables of the land at their pleasure *." A. D. 1322. 2 July.

Having completed his military preparations, Edward marched from Newcastle and invaded Scotland with a formidable army, which one of the English writers says amounted to an hundred thousand men †. We have no particulars respecting this short and ineffectual invasion, farther than that Edward appears to have made no attempt to acquire possession of Berwick, and seems to have confined his views to the vain hope of fighting the Scots in the open field, or of intimidating them into an unconditional submission by the display of his vast force. Upon a former emergency, the King of Scots had considered himself under the necessity of risking the fate of his kingdom on the event of a pitched August.

* Knyght, 2542. † Walsingh. 116. Lel. Col. II. 466.

A. D. 1322. Aug. battle. But, on the present occasion, there was no such necessity: His authority was fully established; and the honour and reputation of his arms could suffer no disparagement by the employment of prudent and cautious measures. He resolved, therefore, to avoid any general engagement, in which nothing but glory could have been won, and in which every thing dear to him and to his country must have been put to hazard, without any sufficient motive.

Barbour erroneously attributes this invasion of Scotland to the exultation of Edward on occasion of the defeat and death of Edward Bruce in Ireland, which happened long before; but he very justly describes the judicious plan adopted by the King of Scots for conducting the defence of his dominions against the vastly superior military force of England. Robert ordered all the cattle and provisions of the Merse, Tiviotdale, and the Lothians to be removed, and that all effects of any value should be carried into places of safety; hoping by this means to constrain the English to retreat from Scotland by famine, and intending to harrass and attack them when enfeebled by want and fatigue, or when detached in quest of provisions and plunder.

His orders were so exactly executed that, according to tradition, the only prey which fell into the hands of the English was one solitary bull at Tranent, which was so lame as to be unable to travel along with the other cattle. When the spoilers returned to camp with this wretched fruit of their exertions: "Is "this all you have got? said earl Warrene. I "never saw so dear a beast*." Fordun reports the same sarcastic expression; and, in his Latin, converts it into a pun; "Illius tauri *caro* nimis *cara* †." A. D. 1322. Aug.

While Edward thus advanced unopposed to the neighbourhood of Edinburgh, Robert lay with his army at Culross on the north side of the Firth of Forth, ready to take advantage of any favourable circumstance that might occur for annoying the enemy. Barbour says that the English halted three days at Edinburgh, in expectation of the arrival of their fleet, which had been ordered to bring provisions from England. But, as the fleet was detained by contrary winds, and the army began to be in great want of provisions, which could not be procured in the country, owing

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* Barb. XVIII. 282—285. † Ford. XIII. iv.

A. D. 1322. Aug. to the prudent precautions of the King of Scots, famine began to prevail, and many of the soldiers perished of want*. Thus, after all his mighty preparations, and his vain boasts to the Pope, Edward was compelled to retire towards his own dominions, without ever seeing the face of an enemy, after remaining only fifteen days in Scotland.

On their return, the English soldiers plundered the abbey of Holyrood, now the royal palace at Edinburgh, and the abbey of Melrose, and burnt Dryburgh and other hallowed places, slew many monks, and violated whatever was held most sacred in the opinion of the times. At Melrose, according to Fordun, they slew William Peebles the prior of that monastry, together with an infirm monk and two blind friars, and mortally wounded several other monks. They sacrilegiously threw out the consecrated host upon the great altar, and carried off the silver pix in which it was reposited†.

Barbour alleges that a body of three hundred English, detached to take possession of Melrose, were attacked and routed by Douglas, who hovered in that neighbourhood with

* Barb. XVIII. 262—290. † Ford. XIII. iv.

a chosen body of light troops, and constrained the English to turn off from Melrose and to encamp at Dryburgh. Of this exploit he gives the following minute account: While Douglas was lurking in the forest of Selkirk, he received information that an advanced party of the English, consisting of three hundred men, were on their march towards Melrose. He came suddenly and privately to that place under night with a small chosen band of his hardy foresters, whom he carefully concealed in ambush in the abbey, waiting the arrival of the English. As a spy, or advanced centinel, he posted a stout friar at some distance from the gate of the abbey, with orders to give notice of the arrival of the English, whenever they had passed the corner of the abbey wall. The friar was clad in complete armour under cover of his hood and clerical vestments, and was mounted on a powerful war horse, carrying a lance in his hand. When the foremost of the English detachment had passed the corner of the abbey wall, the friar shouted out a Douglas! a Douglas! according to his instructions, and instantly spurred on his horse, with his spear in rest, bearing down the most advanced of the English.

A. D. 1322. Aug.

A. D. 1322. Aug. Douglas and his men being all in readiness, instantly issued forth from their ambushment, and easily discomfited the astonished English, who fled precipitately, but not without considerable loss *.

Barbour insinuates that this exploit compelled the English to turn aside from their purposed attack on Melrose, and to take up their quarters at Dryburgh. The minute particulars related by Fordun respecting the destruction of Melrose abbey, sufficiently establish the truth of his relation; and it is not to be supposed that a flying party, which required an ambush and surprise to get the better of a small detachment, could have influenced the motions of the main body of the English grand army. Yet the incident related by Barbour may be perfectly true, as Douglas may have been successful against this detachment, and have had sufficient time to retire into his fastnesses in the forest before the arrival of the main army of the English.

From Melrose and that neighbourhood, the English army made haste to return through Tiviotdale into their own country. After their

* Barb. XVIII. 294—323

arrival there in convenient quarters, and receiving an abundant supply of provisions, which they had long been unaccustomed to, they are said to have indulged in such excess as to induce mortal diseases among them. According to one of the ancient English writers, nearly half of the English army was destroyed by this intemperate use of food; partly dying through an immediate bursting of their bowels while others so injured their constitutions that they never recovered their natural strength*. Another English writer says that near sixteen thousand of the English army perished on this occasion.† The disease attributed by Walsingham to the English army on this occasion, under the name of a bursting of the bowels, was probably a dysentery. A. D. 1322. Aug.

* Walsingh. 117. † Knyght, 2542.

CHAPTER XXV.

Invasion of England by the King of Scots, in September 1322; *and Treasonable compact of Hartcla with the Scots, in the beginning of* 1323.

A. D. 1322. AFTER his return to England from the late inglorious expedition, Edward found himself under the necessity of employing extraordinary measures for the defence of his own dominions.
15 Sept. He reappointed Hartcla, now earl of Carlisle, to the wardenship of the western marches of England, and nominated David earl of Athole to be warden of the east marches, giving orders to John de Bermigham, earl of Lowth and justiciary of Ireland, to co-operate with the wardens in defending the English borders*.
18 Sept. He summoned a parliament to assemble at Rippon, to concert measures for
20 Sept. defending the kingdom; and, only two days

* Foed. Angl. III. 973.

afterwards, summoned the military array of England to hasten to Newcastle by the eve of St Luke, 17th October, to march against the Scots, who had then invaded England*. At this conjuncture Edward appears to have resided at Biland Abbey, near Malton, in Yorkshire, having a considerable body of troops encamped in an advantageous position in that neighbourhood.

A. D. 1322. 20 Sept.

At this period Robert collected a numerous army, with which he crossed the Tweed, and laid siege to Norham castle, employing several engines and machines for its capture, but without success. The Scots army in this expedition is said by Barbour to have amounted to eighty thousand men, regularly arranged in eight divisions of ten thousand each†. But in this prodigious multitude, ample allowance must be made for the servants attending the army, and a rabble of undisciplined followers, fitted only for plundering the country. The dates of the various incidents in this invasion cannot be now ascertained; but we are certain that they must have occurred after the 20th September, when the Scots are

* Foed. Angl. III. 974. † Barb. XVIII. 349—351.

A. D. 1322. Sept. declared to have invaded England in the proclamation already mentioned; and before the 27th of October they must have returned to Scotland, as of that date Edward gave permission to certain persons belonging to the household of the earl of Richmond to attend their master, then a prisoner in Scotland*.

Finding himself unable to make any impression on the walls of Norham castle, and having received information of the situation of the King of England at Biland Abbey, Robert determined to endeavour, by a forced march, to surprise him in his quarters. We shall have occasion to explain hereafter, that the Scots armies who invaded England were peculiarly calculated for rapid marches; the great majority of them, though they fought on foot, being mounted on small horses and lightly armed.

It is said that the Scots were incited to this attempt to surprise the English camp, by some traitors who were in attendance upon Edward†. But Edward seems to have ascribed the successful irruption of the Scots into Yorkshire to the culpable negligence of Lewis de Beaumont, who was then bishop of Dur-

* Foed. Angl. III. 978. † Walsingh. 117. Murim. 59.

ham. In a letter to that prelate, dated 10th February 1323, he says that, "during the lifetime of the former bishop, Henry de Bellmont and other friends of Lewis had represented, that if he or any other person of noble rank, were appointed to that bishopric, it would become like a stone wall against the invasions of the Scots, by the assistance of his friends and relations among the nobility. Yet the bishopric and neighbouring country had suffered more injuries during his administration than in the days of his predecessor*."

A. D. 1322. Sept.

On the arrival of the Scots near Biland, the English camp was found to be posted on exceedingly strong ground, having a long craggy hill of difficult access interposed between it and the position of the Scots. Through this rocky ridge, on which the English army was drawn up, only one narrow pass was assailable, which Douglas undertook to force. For this purpose, he placed himself at the head of a chosen detachment, in which the earl of Moray, quitting the division of the army which was under his peculiar command, served as a volunteer. The Scots detachment

* Foed. Angl. III. 994.

A. D. 1322. Sept. advanced to the attack of the pass with the utmost resolution, and exerted the most strenuous efforts to force their way; but were bravely resisted by the English under the command of Sir Thomas Enchter and Sir Ralph Cobham. Observing that the Scots assailants under Douglas were much annoyed on their flanks by those of the enemy who were placed on the rocky heights above, Robert gave orders to a party of highlanders from Argyle and the Isles to climb the rocks and attack the English who were posted on the summit. This bold and judicious measure was decisive of the victory. The highlanders forced their way up the rocks, and drove the English from the heights with great slaughter. Douglas and his party now carried the pass, and made way for the main body of the Scots army. The English fled in all directions; and Edward escaped to York with great difficulty, abandoning his camp, baggage, and treasure to the enemy. In this engagement, John de Bretagne earl of Richmond, and Henry de Sully, butler of France, with many other persons of note, were made prisoners. Of the two brave knights who had endeavoured to defend the pass, Enchter was made prisoner, and Cobham escaped by flight. The

stewart of Scotland, at the head of five hundred horse, pursued the English from the field of battle to the gates of York; and, in the chivalrous spirit of the age, displayed his banner before the town until the evening, waiting in vain for the discomfited enemy to come forth and renew the combat *. A. D. 1322. Sept.

According to the relation of Barbour, Robert entertained a severe displeasure against the earl of Richmond, on account of a report that the earl had spoken discourteously of him on some former occasion. In the first exultation of victory, Robert so far forgot his own character and dignity, as to reproach his prisoner in angry language, and ordered him into strict custody †. He remained long a prisoner in Scotland, as we are certain that he was not liberated in May 1324 ‡. Barbour says that he was ransomed, after a long captivity, for twenty thousand pounds; a prodigious sum in those days, equivalent to three hundred thousand pounds of our modern money ‖. The ransom demanded was certainly large; as Edward gave him a licence to sell

* Barb. XVIII. 378—498. Tho. de la More. 596.
† Barb. XVIII. 507—515. ‡ Foed. Angl. IV. 49.
‖ Barb. XVIII. 520—522.

A. D. 1322. Sept. part of his lands, and ordered the tenants of the earldom to contribute to the utmost of their abilities, to enable their Lord to pay "the large and intolerable ransom which was demanded for his liberation *."

To Sully, and some other Frenchmen who had been made prisoners along with him, Robert expressed himself in courteous terms; saying that he knew they had fought on purpose to shew themselves valiant knights in a foreign land, and not from personal enmity. After entertaining them for some time very honourably in Scotland, they were dismissed without ransom, in compliment to the King of France †.

On their return from the pursuit, in which they made many prisoners, the Scots army took up their quarters at Biland and that neighbourhood; where they remained only one night to divide the spoil. They afterwards extended their ravages through Yorkshire to a great extent, plundering, burning, and laying waste the whole country in their progress. Barbour says that they destroyed every thing that was valuable in *Beanewar* ‡; the signifi-

* Foed. Angl. IV. 15, 16. † Barb. XVIII. 523—544.

‡ Barb. XVIII. 558.

cation of which word it is perhaps impossible now to discover. From various writs in the Foedera, it is obvious that Edward remained for some time in York, utterly unable to oppose the Scots in the field; who extended their ravages to Beverly, in a remote corner of the East-Riding, and almost to the banks of the Humber. As if they meant to use reprisals for the enormities committed by the English at Melrose and other places in their late retreat from Scotland, the Scots are said to have murdered a number of English ecclesiastics at Rippon. The clergy and inhabitants of Beverly redeemed themselves from plunder by the payment of a ransom of four hundred pounds, equal to six thousand pounds of the present times *. A. D. 1322. Sept

Having thus defeated and insulted the power of their late invader, and extensively laid waste the country of England to the north of the Humber, the Scots returned to their own country loaded with much spoil, and carrying off many prisoners and vast quantities of cattle †. The date of their return is not mentioned in history; but, from what has

* Murimuth, 59. Tho. de la More, 596.

† Barb. XVIII. 554—562.

A. D. 1322. Sept. been formerly observed, must have been before or about the middle of October.

1323. 8 Jan. About the beginning of January 1323, intimation was conveyed to Edward, that the barons of the north of England had opened negociations for a truce with the King of Scots without his permission. He immediately issued a mandate, peremptorily forbidding any farther proceedings in this matter, under penalty of forfeiture; and commanding Hartcla instantly to inform himself of the nature and circumstances of this underhand proceeding; and, having placed the city and castle of Carlisle under secure custody, to repair immediately to court, that he might inform and advise the King what was best to be done upon this occasion, to maintain the honour and advantage of the crown and kingdom *.

Either the King of England had at this time no suspicions of the fidelity of Hartcla, or he acted on the present occasion with profound dissimulation. But, suspecting that his secret practices were detected, or conscious that he could not support the consequences of an investigation, Hartcla anxiously eluded the command to appear in the presence

* Foed. Angl. III. 983, 984.

of his sovereign. After some interval, being more distinctly informed of the participation of Hartcla in these secret practices, Edward ordered him to be taken into custody for treasonably adhering to the Scots. The King of England immediately afterwards appointed his brother, the earl of Kent, to be sole warden or lieutenant of the marches towards Scotland; thus depriving the earl of Athole of his office as well as the earl of Carlisle *. It would appear that the bishops of Lincoln and of Bath and Wells had participated in this plot for entering into treaty with the King of Scots; as Edward at this time made a serious complaint to the Pope against these prelates for adhering to his rebels.

A. D. 1323. 1 Feb.

5 Feb.

This plot or association of the English subjects, especially in the northern counties, for entering into a treaty with the King of Scots, without the knowledge, and contrary to the inclination of the King of England, appears to have taken a very wide range: As at this time Edward addressed a proclamation to the whole clergy, nobles, and others, in Yorkshire, Cumberland, Westmoreland, Lancashire,

12 Feb.

* Foed. Angl. III. 988, 993.

A. D. 1323. 12 Feb. Durham, and Northumberland, strongly inveighing against the confederation of Hartcla with the Scots, and reprobating the measure of private truces, which he prohibited under the most severe penalties *.

Murimuth alleges that Hartcla was betrayed and arrested by Anthony de Lucy, his special confident †. This is certainly probable, as Lucy was then sheriff of Carlisle; and in all traiterous plots, nothing is more common than to find individual conspirators acting the parts of informers. Henry Fitz-Hugh, however, was the person especially appointed for taking Hartcla into custody; who may have employed Lucy upon the occasion in his official capacity: And Lucy may have been anxious to remove the guilt of his own participation, by the zealous execution of his duty in arresting the leader of this conspiracy; and Edward appears to have overlooked all the other members of this treasonable usurpation upon his sovereign authority.

27 Feb. Commissioners were appointed, before whom Hartcla was brought to trial for his traiterous conduct. In the course of their proceedings it was proved, That Hartcla had had an in-

* Foed. Angl. III. 994. † Murim. 60.

terview with the King of Scots, and had bound himself, both in writing and by oath, to maintain him and his heirs in the right and possession of the entire kingdom of Scotland: That Robert and Hartcla were each to name six persons, who were to be authorised to regulate the important affairs of the kingdoms of Scotland and England: And that Hartcla had engaged to resist all who might endeavour to obstruct the execution of this engagement, and had induced the people of the country to swear to its observance. Hartcla was also accused of having pretended to act under the royal authority in these negociations with the King of Scots; but it does not appear that this charge was substantiated *. A. D. 1323. 27 Feb.

Hartcla was found guilty and condemned. His sentence was, That he should be degraded from his rank and honours, forfeiting the title and dignity of earl for himself and his heirs in all time to come. That he should be ungirded of his sword, and should have his gilt spurs hackt from his heels. That his heart, bowels, and entrails should be plucked out and burnt, and their ashes scattered in the air, because from them his traiterous designs 2 March.

* Foed. Angl. III. 999.

A. D. 1323. 2 March.

had proceeded. And, finally, that his quarters should be exposed at Carlisle, Newcastle, York, and Shrewsbury, and his head on London bridge. The sentence was carried into immediate execution *. Indeed the commissioners appear to have been furnished by Edward with an ample direction on the subject before proceeding to trial.

Among other dubious circumstances respecting this treasonable compact of Hartcla with the King of Scots, it is related by the English historians, that Robert had engaged to give his sister in marriage to the earl of Carlisle †. But it does not appear that Robert had at this time any unmarried sister ‡. It was alleged that Hartcla was induced to become a traitor from enmity to Hugh le Despencer, whom he perceived to increase daily in favour with Edward §. This is highly probable, as the affairs of government were evidently most grossly mismanaged under the uncontroulable influence of that unworthy favourite: Yet it is unaccountable that Hartcla should have so recently exerted himself to

* Foed. of Angl. III. 1000. † Murim. 60. Walsingh. 118.

‡ A. of S. II. 120. § Walsingh. 118.

overthrow the powerful Lancastrian party, engaged in a similar opposition to the Despencer administration; and have immediately afterwards endeavoured, on his own individual strength and influence, to pursue almost exactly the same crooked line of policy. In the chronicle of Lanercost, as quoted by Tyrrel, some circumstances are asserted to have been inserted in the treaty between Hartcla and the King of Scots, which are quite incredible. "Robert engaged to pay eighty thousand marks to the King of England, by ten yearly instalments of eight thousand marks each; and agreed that Edward was to have the disposal of the marriage of his eldest son *." The sum of money, equal in efficacy to eight hundred thousand pounds of our modern money, exceeds all belief, and no circumstances appear, or are alleged, as warranting any payment to the King of England, in connection with this treaty or compact. The alleged stipulation respecting the marriage of the eldest son of Robert is altogether absurd, as at that time he had no son at all †.

A. D. 1323. 2 March.

By the destruction of the Lancastrian faction, and that of the earl of Carlisle so imme-

* Tyrrel, III. 301. † A. of S. II. 120.

A. D. 1323. diately afterwards, the King of Scots was completely frustrated in his endeavours to raise up adversaries to Edward among the leading nobles of England. Yet so injurious had the maladministration of his affairs been to the power and influence of Edward, and so deeply rooted were the discontents of his nobles through his continual devotion to two successive unworthy favourites, that he was still unable to wield the great power and resources of England, even in the present apparently favourable conjuncture, to make another great effort for subjugating Scotland.

About this period, in consequence of a change which had taken place in the administration of the government of Flanders, Edward was enabled to enter into a treaty with that commercial power, by which the Scots were precluded from receiving any farther assistance or supplies from that country *. This measure, upon which Edward seems to have laid so much stress, appears to have had no influence whatever upon the fortune of the war, which was never again resumed during the reign of Edward II.

* Foed. Angl. III. 995.

CHAPTER XXVI.

Negociations for Peace, and Conclusion of a long Truce between Scotland and England, in 1323.

DISHONOURED and disheartened by his late fruitless expedition into Scotland, and by his disgraceful discomfiture at Biland, and finding his resources weakened and exhausted by the repeated calamities of a long and ill conducted war, while his measures had been continually thwarted by faction, and betrayed by those in whom he reposed confidence, Edward now agreed to a truce or cessation of hostilities "with Robert Bruce and the people of Scotland who were engaged in war against him," for the purpose of more conveniently negociating a final peace. The precise date of this truce does not appear; but on the 14th March 1323, it was ordered to be proclaimed

A. D. 1323.

14 Mar.

A. D. 1323. 14 Mar. by the sheriffs of Cumberland and Northumberland; Edward likewise appointed conservators or guardians to watch over its execution on the borders, and deputed a person to swear to its observance. It was to continue only till the next ensuing Feast of the Holy Trinity, or the middle of June *.

Henry de Sully, who had been taken prisoner in the late action at Biland, and was now set free, appears to have been employed as mediator between the two hostile kings. Copies of the letters from the King of England on this important subject were transmitted by Sully to the King of Scots, who then resided at Berwick; but Robert refused to confirm this truce in the form proposed. His reasons will distinctly appear from the following transcript of his letter to Sully on the subject †.

21 Mar. "Robert, by the grace of God, king of Scotland, to the very noble knight and his good friend, the lord Henry de Sully, health and good love. You may well remember, both as contained in our letters to the King of England, and as we charged you verbally, that we always were and still are desirous to

* Foed. Angl. III. 1001. † Id. III. 1003.

treat for a final peace, saving always our kingdom free and entire to us and our heirs, and saving the state of our allies. A. D. 1323. 21 Mar.

"At your departure from hence, we promised you, if you should find the King of England well disposed, as you made us believe he was, that we were perfectly willing to agree to an armistice until the Feast of the Holy Trinity; and we shall cause that armistice to be observed, whenever we are assured by you that the King of England will do what becomes him on the occasion.

"We have received your letters on this subject, containing transcripts of letters from King Edward, in which he says that he has granted an armistice to the people of Scotland who are engaged in war against him. This manner of expression is very strange. In other truces which have been agreed upon between us, we were always named as the principal person on the one part, as he was on the other, although he did not vouchsafe to give me the title of king; and these former truces were always reciprocally confirmed by oaths, made upon his soul and ours. But in the present armistice no more mention is made of us than of the meanest person in our kingdom. If, therefore, this truce were

A. D. 1323. 21 Mar. to be infringed, in whole or in part, we could no more demand redress than any other person. You must not be surprised, therefore, that we refuse our assent to this armistice in its present state; but, if it be executed in the proper form, we shall certainly consent to its obervance according to our promise.

"Wherefore, that some person from us may proceed to receive the oath upon the kings soul, and that we may have surety for our envoys, you will please to transmit letters of safe conduct in duplicate, for Sir Alexander Seton, Sir William Muschet, and Mr Walter Twynham clerk, whom we mean to send upon this occasion, or any two of them with their attendants, horses, and baggage.

"We send you back the transcript of the kings letter; as it seems to us that you had either not seen it, or had read it too carelessly. We likewise inform you, that we shall only remain in Berwick until the Wednesday in Easter week, wherefore we wish to have your answer without delay.

"Written from Berwick this 21st of May, at the hour of tierce, and your letter only arrived last night."

It is certainly presumeable, that the omission of mentioning the name of King Robert,

which he judiciously complains of in this animated and dignified letter, was merely accidental in the copy which had been sent to Sully, and transmitted by him to the King of Scots. For in the orders from Edward to proclaim this truce, already adverted to, Robert Bruce is expressly mentioned as the principal person in the treaty, and in the terms customarily employed in former treaties of truce. It does not appear who were the allies of Robert, about the preservation of whose *state* he appears to have been anxious. In the close of his letter, Robert carefully remarks the punctuality and dispatch with which he had replied to Sully on this important occasion; having only received the letter on the night of the 20th of March, which he answers by nine o'clock of the next morning.

A. D. 1323. 21 Mar.

In a council of state, Edward demanded the individual opinions of his counsellors, as to the expediency of treating for peace or truce with the Scots. When it came to the turn of Henry de Beaumont, he refused to give his opinion on the subject. Edward then commanded him to depart from the council board. "I had rather go than stay," was the

30 Mar.

A. D. 1323. March. insolent reply of Beaumont*. Beaumont must have seen the necessity of a truce, in the then distracted state of the English government; but he was too proud to acknowledge this, and his disrespectful behaviour to his sovereign admits of no apology. In questions respecting the legality of proposed measures, a counsellor may hesitate in giving his opinion, from diffidence of his own knowledge of the subject; But upon a question of expediency, every counsellor ought certainly to give his opinion and advice when called upon, with the dignity which belongs to his rank, and the spirit which becomes a freeman †.

On the subject of this proposed truce between the contending nations, Barbour says that Robert, having now recovered the whole of Scotland from the English, and being desirous to spend the remainder of his days in tranquillity, and to leave his kingdom in peace to his successor, sent ambassadors to treat of peace with the King of England. He alleges that Edward, believing that he had a good title to the kingdom of Scotland, and wishing to reserve a right to take advantage of any favourable opportunity for its recovery,

* Foed. Angl. III. 1021. † A. of S. II. 122.

was adverse to this proposal; but that he was strenuously advised by Sir Ingram Umphraville to grant peace to Scotland for the following reasons: "That the Scots nation had now been so long accustomed to war, that every man in the country was become an expert soldier, and that no power which England was capable of bringing into the field would be able at this time to atchieve the conquest. Whereas, if peace were granted, and should continue for a considerable time, the common people would have to lay down their arms and to betake themselves to labour for their subsistance: That during peace the people would forget the use of arms, and the arms which they possessed would wax old and useless: That great numbers of those who were now experienced soldiers would die, and the new generation would grow up without that knowledge of war which the present race had acquired in the long struggle with the English; and that then, Scotland being urged by a new war, might fall an easy conquest before the superior power, opulence, and population of England*". A. D. 1323. March.

* Barb. XIX. 141—184.

A. D. 1323. 1 April. In conformity with the request of Robert in his letter to Sully, a safe conduct was transmitted by Edward for the three persons there named, to go into England to see the proposed treaty of truce properly executed on the part of the King of England, and to execute it in due form on the part of Robert *. And of the same date, 1st April 1323, a safe conduct was granted for the earl of Moray to come to Newcastle with a train of fifty horsemen, on purpose to enter into treaty for a final peace †.

6 April. A few days afterwards, Edward authorised the lord Sully to agree to a prolongation of the truce from the Feast of the Holy Trinity, 12th June, for any longer period that he might think proper, or to which the Scots might be inclined to assent ‡.

17 April. The Scots appear to have been tardy in their advances towards the proposed final peace; and Edward, apparently with a view to intimidate them into compliance, issued a summons of array for the whole military service of England to assemble at Newcastle on the octaves of the nativity of St John the

* Foed. Angl. III. 1005. † Id. III. 1004.
‡ Id. III. 1007.

baptist, to proceed to war against the Scots *. The nativity of St John is the 24th of June, and the octaves is a week or seven days after; so that the intended day of assemblage was the 1st of July. In this proclamation he orders the naval service of the cinque ports, enumerated as fifty-seven ships of war, to assemble at Dalkeye, near Dublin, on the 1st of June, to bring over troops, both cavalry and infantry, and provisions from Ireland to Skymberness, and from thence to proceed against the Scots, his enemies and rebels †. A. D. 1323. 17 April.

A few days afterwards, Edward agreed to prolong the existing truce, from the 12th to the 27th of June; apparently to afford more time for the intended pacific negociations, yet not to interfere with his proposed or threatened invasion of Scotland. Orders were issued for the due execution of this prolongation of the truce; conservators were appointed for its observance; and William de Herle was authorised to confirm it by oath on the soul of the King of England †. 29 April.

Some demur seems to have been entertained in Scotland as to the safety of the earl of Moray under the security of letters of safe-con-

* Foed. Angl. III. 1012. † Id. III. 1013.

A. D. 1323. 29 April. duct from Edward: Who accordingly now agreed to exchange hostages at Tweedmouth, for the farther security of his person while in England, and engaged that he might be at liberty to return into Scotland at his pleasure *.

All difficulties being removed, the commissioners of both sovereigns met at Newcastle, and commenced their negociations for a final peace. The commissioners from Scotland were William Lamberton, bishop of St Andrews, the earl of Moray, sir John Menteith, sir Robert Lauder, senior, and master Walter Twynham, clerk. Those appointed by Edward were, Aymer de Valence, earl of Pembroke, Hugh le Despencer, junior, the Kings favourite, Robert Baldock, archdeacon of Middlesex, Sir William de Herle, William de Ayremynne, canon of York, and Jeffrey le Scroop †.

May. Difficulties occurred in the course of this negociation for a peace, which are not explained in the record; but which probably proceeded from the pertinacity of the English in refusing to recognize the title of Robert to the crown of Scotland, and to acknowledge that country as a free imperial kingdom.

* Foed. Angl. III. 1017. † Id. III. 1022.

Unable to come to any agreement upon the subject of peace, and unwilling entirely to abandon the prospect of procuring at least a temporary cessation of the hostilities which had so long distracted and severely injured the two countries, the commissioners agreed to enter upon the consideration of provisions for a long truce, in the hope that pending its endurance the negociations for a final peace might be continued to a happy conclusion. For this purpose, the commissioners of both nations removed their congress from Newcastle to Thorpe near York, where King Edward then resided. Upon the 30th of May 1323, with the assent of the archbishops, bishops, earls, and barons of England, or, in the modern language, with the advice and consent of the privy-council, a treaty of truce was agreed upon, to continue from that date until the 12th of June immediately next ensuing, and from thence until the next thirteen years should fully expire; or, in other words, from the 30th May 1323 to the 12th June 1336, both days inclusive*.

A. D. 1323. May.

30 May.

This important treaty being settled, Edward authorised the earl of Pembroke to swear

* Foed. Angl. III. 1022.

A. D. 1323. 30 May.

upon the Kings soul and the holy evangile to its due observance, and the earls and barons of England were ordered to swear to the same effect *. The sheriffs of Northumberland, Lancashire, York, Lincoln, Cumberland, Westmoreland, Norfolk, Suffolk, Essex, Kent, Sussex, Hampshire, Cornwall, Devon, Gloucester, Somerset, and Dorset, were ordered to proclaim the truce, and to intimate that no communication was to be permitted between the two countries, without licence or safe-conduct †. The day following he appointed conservators of the truce on his part, and discharged the summons of array for the Scots war ‡. He appointed commissioners to receive an oath for the observance of the truce on the soul of Robert Bruce, and the oaths of all the earls and of the stewart of Scotland, and of the following Scots barons to the same purpose, James de Douglas, John de Monteith, Robert de Keith, Henry de St Clair, Gilbert de la Hay, David de Lindesay, David de Graham, Alexander Fraser, Robert de Ros, Robert Boyd, and Robert de Lauder, senior §. He granted a safe-conduct for the return of

* Foed. Angl. III. 1022. † Id. III. 1024.

‡ Id. III. 1026. 1027. § Id. III. 1025.

the Scots commissioners, or envoys, to their own country, and authorised the commissioners whom he had deputed to see the due execution of the treaty by Robert Bruce, to receive back at Tweedmouth the hostages which had been given for the safety of the earl of Moray *. A. D. 1323. 30 May.

As the English government persisted in its refusal to recognize the royal title of Robert and the imperial independance of Scotland, the stipulations of this treaty of truce could not be regularly extended and mutually ratified in the usual manner; and, to get the better of this difficulty, a very ingenuous device was fallen upon. After the negociators of both nations had agreed upon the conditions, these were inserted, reciprocally, so varied as to suit the engagement of each party, in separate letters patent, severally executed by the two sovereigns, by which each granted a truce to the other upon the agreed terms.

No time appears to have been lost in putting the last hand to this important measure, as a counterpart of this truce was executed by Robert at Berwick, with the assent of the 7 June.

* Foed. Angl. III. 1025.

A. D. 1323. 7 June. bishops, earls, and barons, of Scotland, on the the 7th June, ratified and approved of, by making it letters patent under his great seal, sworn to in his presence, and upon his soul and the holy evangiles, by the earl of Moray, and sworn to by the earls and barons of Scotland *.

Two copies or counterparts of this truce, or copies of both letters patent, by which it is mutually granted, yet remain on record, and have been published in the Foedera Angliae: The one as executed by Edward at Thorpe on the 30th May; the other by Robert at Berwick on the 7th June. In the Scots counterpart, as published in the Foedera, the King of Scots is only stiled Robert de Brus, &c. at the commencement of the preamble; but at the conclusion or testing clause, he entitles himself, "We, Robert King of Scotland aforesaid." The preamble and conclusion only of the Scots counterpart being printed, leaving the whole body of the conditions to be taken, *mutatis competenter mutandis*, from the counterpart executed by the King of England, which is published at full length; it appears highly probable that Ry-

* Foed. Angl. III. 1030.

mer carelessly omitted the royal stile, which Robert would assuredly assume as well in the preamble as in the conclusion. Perhaps willing to lend this feeble aid to the foolishly revived controversy on the part of the English, in contemplation of the union then negociating, respecting the feudal superiority of England over Scotlaud. As an evident of high national importance, it has been deemed proper to insert the substance of this treaty in full: The preamble and conclusion from the Scots counterpart *; and the articles or body of the treaty from the English copy †.

A. D. 1323. 7 June.

"Robert [King of Scots,] to all who may see or hear these presents, wisheth health. Know that we required, by our own direct representation, and through the intermediation of the lord of Sully, that the most excellent prince and lord Edward, by the grace of God King of England, lord of Ireland, and duke of Aquitain, might treat with us of a final peace respecting the wars which have been carried on between the said King and his subjects of the one part, and us and our subjects of the other part; and, for this purpose, our

* Foed. Angl. III. 1030. † Id. III. 1022.

A. D. 1323. 7 June.

beloved and faithful subjects, William bishop of St Andrews, Thomas Randolph, earl of Moray, our dear nephew, sir John de Menteith, sir Robert de Lauder the elder, and master Walter de Twynham, clerk, our envoys: and

"Aymer de Valence, earl of Pembroke, Hugh le Despencer, junior, master Robert Baldock, archdeacon of Middlesex, sir William de Herle, William de Ayremynne canon of York, and Jeffrey le Scroop, envoys of the said King of England;

"Having assembled at the city of Newcastle upon Tyne, and having there treated together respecting the settlement of a final peace; and several difficulties having prevented them from agreeing upon the conditions of a final peace, the said envoys, considering that so important a matter could not be accomplished in a short time, entered into negociation for a truce, intending that the negociations for a final peace might be proceeded in during the continuance of the said truce. Whereupon our said envoys, together with the envoys of the said King of England, went to the presence of the said King at Thorpe near York, and requested his concurrence; and there the whole matter was debated between the coun-

cil of the said King on the one part, and our said envoys on the other part. A. D. 1323. 7 June.

"On the 30th of May, in the year of Grace 1323, and the eighteenth of our reign, by assent of the archbishops, bishops, earls, and barons of the kingdom of England, a cessation of war and truce were agreed upon between the said King of England, for himself and his dominions of England, Wales, Gascony, and Ireland, and their appurtenances, and for his subjects, adherents, and allies, of the one part; and our said envoys for us, our subjects, adherents, and allies, and for our kingdom of Scotland and its appendages of the other part, to continue to the twelfth day of the next following month of June, and from that day for the thirteen next succeeding years completely, and including the last day of the said thirteen years in the said cessation of war and truce, for the purpose of maturely treating in the mean time for a final peace as aforesaid: And the conditions then and there agreed upon are as follow; that is to say,

"1. That the said cessation of war and truce shall be well and fully held and preserved, between us and our subjects, adherents, and allies, of the one part, and the said King

A D 1323. 7 June.

of England, his subjects, adherents, and allies of the other part: And, if God should use his will with us and the said King of England, or either of us, during the said thirteen years; yet the said cessation of war and truce shall subsist and continue between our dominions of Scotland and its people of the one part, and the said dominions of England, Wales, Gascony, and Ireland, and the people of the same of the other part, until the said thirteen years shall fully expire.

"2. All manner of occupation or capture which may have been made by us or our people in the dominions of England Wales, Gascony, and Ireland, or their appendages, or by the said King of England, in our dominions of Scotland or its appendages, shall be removed and entirely evacuated by the said twelfth of June next.

"3. If any point, as to the observance of this truce or cessation of war, shall chance to fall into dispute, the same shall be cleared up and explained with good faith and without delay by the conservators of the said truce, appointed on both sides, conjunctly. And if they cannot agree, it shall be reported to us and to the said King of England, and cleared up by our counsellors and his counsellors, or

by persons deputed by them for the purpose on both sides: The said truce and cessation still continuing to be observed in its whole tenor. A. D. 1323. 7 July.

"4. No fortresses shall either be built or rebuilt on either side, during the subsistence of this truce, excepting such as are already built or are now building. That is to say, in that part of England which lays between the borders of Scotland, from the Tyne to the sea, and between the Tyne and the South Tyne, or in the land of South Tyndale, or in the county of Cumberland, either within or without the liberties; neither in the shires of Berwick, Rokesburgh, and Dumfries, within or without the liberties of the same, in our kingdom of Scotland.

"5. None of the subjects of either party shall have any intercommunion with those of the other party, without licence or safe-conduct; excepting the foresaid conservators of this truce and cessation, who may hold intercommunion on the marches, or wherever they may think proper, in the execution of their office, without needing to demand a licence or safe-conduct.

"6. In case that any ships or vessels belonging to Scotland, by reason of distress,

A. D. 1323. 7 June.

shall be stranded or wrecked within the territories of the King of England, the said ships, and the goods which they contain, shall not belong to the King of England, but shall be delivered up to the people of Scotland to whom they may belong; likewise their crews and passengers shall be at liberty to depart. Likewise, if any other ships, not Scots, but in which there are any Scotsmen, of whatever rank or condition, or any goods or merchandise belonging to Scotsmen, so driven on shore or wrecked in the dominions of the said King of England, or taken at sea by any of his subjects, the people and the goods which shall be reasonably found belonging to Scotland, shall be delivered up without hindrance; and the said people may victual and remain in safety until it be convenient for them to depart. And it shall be in the same manner respecting ships or vessels belonging to England, and their people and merchandise in our dominions of Scotland.

"7. No stranger merchant shall be disturbed, either in his person or merchandise, when going to either country, unless by land, or that there happens to be war in either country.

"8. All persons who may be aggrieved or injured, contrary to the form and intent of this truce or cessation, may go freely and without licence to the conservators of the same of the one part or the other, and pursue their complaints, and may safely remain and return; and whoever disturbs them shall be liable to the common law as in times of peace.

A. D. 1323. 7 June.

"9. Every thing relative to the laws of the marches shall be executed in the same manner as was formerly used in times of peace.

"10. It is agreed by the King of England, that we and our subjects shall not be hindered in procuring absolution from the Pope of the sentences and processes which have been issued against us, if it shall so please his holiness; Which absolution shall remain in force and continue during the continuance of this truce and cessation; so that thereby no injury or prejudice shall accrue to the said King of England or his subjects after the expiry of said truce. But that then the said processes and sentences shall revive and recover the same force and vigour which they now have, in case that peace shall not be concluded during the continuance of this truce and

A. D. 1323. 7 June.

cessation, so that the rights of every one may be preserved entire.

"11. If, during said truce and cessation, any person, of whatever rank and condition, shall make war against the said King of England or his subjects and adherents, we shall not aid the said person either in fact or by council, neither shall we admit him or any of his party into our dominions, while making war against the said King of England or his subjects and adherents. Likeas, the said King of England engages, that if any person, of whatever rank or condition, shall make war against us or our subjects and adherents, he shall give no aid to the said person, either in fact or by council, neither shall receive him or any of his party into his dominions while making war against us or our subjects and adherents, saving always the alliance of said King of England with the King of France.

"12. It is agreed by the King of England to grant sufficient letters of safe conduct to any envoys which the King of Scotland may have occasion to dispatch upon his affairs through the dominions of the said King of England.

"13. When the King of England has occasion to dispatch any envoys to us, they shall first

present themselves to our conservators of this truce and cessation, and shall shew that they are envoys of the said King of England; and we command that they may have sufficient letters of safe conduct from our said conservators to come to us in safety and security. And reciprocally the envoys from the King of Scots are to receive in the same manner sufficient safe conducts from the English conservators. A. D. 1323. 7 June.

"14. We agree to assign and appoint good and sufficient guardians or conservator of this truce and cessation of war, to keep it in every point for us, and to give redress and amends without delay for every thing which may be done or neglected contrary to the same by our subjects, allies, or adherents.

"We Robert King of Scotland aforesaid, with the assent of the bishops, earls, and barons of our kingdom, do hereby ratify, agree to, and approve the said truce and cessation of war, and all the things above written, and each of them, for ourselves, our subjects, adherents, and allies, and for our kingdom of Scotland. And to hold fast, defend, and execute the whole articles thereof, and each of them, our dear nephew aforesaid, by our orders and in our presence, hath made oath on our soul and by the holy evangiles; and we

A. D. 1323. 7 June. have caused the earls and barons of our kingdom to swear to the same effect.

"In testimony whereof we have caused to be made these our letters patent. Given at Berwick-upon-Tweed, the 7th day of June in the year of Grace 1323, and of our reign the eighteenth."

The tenth article of this treaty, in which it was provided, that Robert and his subjects might procure absolution from the Pope, but that the sentence of excommunication was to revive in case no peace were concluded before the expiry of the truce, was very singular; as it is not easy to comprehend how the two sovereigns could thus presume to limit or qualify the operations of the papal sentence by their own authority; it may be supposed that this proviso was made with the consent of the Pope, though not expressed.

William Latimer, and William Herle, were sent by Edward to Berwick, with orders to conduct the Scots commissioners thither in safety and honour, to receive back the hostages which had been given for the safety of the earl of Moray, and to receive the ratification of the Scots counterpart of this treaty, from the King of Scots *. We have already

* Foed. Angl. III. 1025.

had occasion to notice the appointment of conservators of the truce on the part of Edward, and, although no record of the circumstance now remains, we may be assured that similar appointments would be made by Robert on his part, but who these were does not appear.

A. D 1323. 7 June.

CHAPTER XXVII.

Negociations of Robert with the Papal and French courts, in the years 1323, 1324, 1325, and 1326; with other transactions during the period of truce between Scotland and England.

A. D. 1323. STILL anxiously following the usual tenor of his weak and crooked policy, even while engaged in the negociations for the long truce with the Scots, Edward continued his efforts at the papal court to widen the breach between the King of Scots and the Pope; thus continually clinging to his perpetually baffled ambitious hopes of reducing the Scots to subjection; he urged the Pope to enforce and publish the sentence of excommunication in the most ample form, "by the sign of the cross and all other remedies of law." He even alleged that, through their contempt of the censures of the church, the Scots had incurred the suspicion of heresy, and had proceed-

ed to the criminal excess of inflicting tortures upon, and even of putting to death, ecclesiastical persons, regardless of the immunities which belonged to this sacred character *. It even appears that the bishop of Winchester had been charged to endeavour to persuade the Pope to proceed to the terrible expedient of publishing a crusade against Robert and the Scots nation, as heretics and notorious rebels, for having despised the authority and censures of the church †. He farther required that the Pope would refuse to give his sanction to the election of Scots ecclesiastics to the episcopal office in their native country, because the prelates of Scotland had cherished and encouraged the nation in the rebellion against England, and in contumacious disregard of the papal censures. And he farther demanded, when bishops were named to Scots sees, that the requisitorial letters for the restoration of their temporalties should be addressed to him only ‡.

A. D. 1323.

Before the Pope had given any reply upon these important subjects, information was received at Avignon of the conclusion of the

* Foed. Angl. III. 1025. † Id. IV. 31.
‡ Id. IV. 32.

A. D. 1323. long truce between the two nations. Upon receiving this information, the Pope evinced a disposition towards treating the Scots with some apparent tendency towards impartial justice and returning favour. He refused acceding to the extraordinary demands of Edward; alleging that it was his duty, as the common father of the christian world, to promote peace and concord between contending nations, and still more to use his authority to enforce the observance of a truce which was already concluded. And, since the King of England had consented that Robert and the Scots might obtain a temporary absolution from the sentence of excommunication, it would be altogether improper to republish and enforce that sentence in the present situation of affairs. On the subject of the demand, that Scotsmen might not be inducted into vacant bishoprics in Scotland, the Pope very justly observed, that this would effectually deprive the flocks of pastors, since no Englishman could receive admission into Scotland, if appointed to any of the Scots sees*.

A. D. 1324. In the present favourable conjuncture which the conclusion of the long truce with Eng-

* Foed. Angl. IV. 34.

afforded, Robert determined to send ambassadors to the papal court, to solicit a reconciliation with the head of the church for himself and his subjects. But, as a judicious preparative for this measure, and to secure a favourable reception for his embassy, he judged it expedient, in the first place, privately to employ his nephew, the earl of Moray, to endeavour to sound the disposition of the papal court. Of the particulars of this curious, interesting, and characteristic negociation, we still have a distinct narrative transmitted by the Pope to Edward, giving an ample account of the conversation which took place between him and the earl of Moray, of which the following is the tenor*. A. D. 1324.

The Pope anxiously endeavoured, in this dispatch, to secure a favourable interpretation by Edward of the intercourse between him and Randolph, by representing himself as entirely actuated by a desire to promote the honour and interest of the King of England; and stated that he had communicated the particulars of the conference, lest erroneous information might be received from any other 13 Jan.

* Foed. Angl. IV. 28.

A. D. 1324. 13 Jan.

source. According to this circumstantial narrative, the earl of Moray carefully concealed any intention of touching upon public concerns at the first, and merely expressed his own personal zeal for the interests of religion and the honour of the church, and his anxiety to merit and procure the favour of the sovereign pontif, which he stated to be the principal object of his presenting himself in the papal court. Having taken a vow, as he asserted, to assume the cross, and to carry assistance to the Christians in the Holy Land then oppressed by the infidels, he humbly implored the papal licence and authority for that purpose, which he could not otherwise conveniently accomplish, and requested those plenary indulgences which were usually bestowed on similar occasions. This request was civily refused, because the individual assistance of Randolph could be of no material advantage to the Christian affairs; and because Randolph and the other inhabitants of Scotland, as labouring under excommunication and interdict, were excluded from communion with the faithful, and could derive no profit from their good works in their present predicament. But, considering that Ran-

dolph might materially contribute to the accomplishment of peace between Scotland and England, of so much importance to both kingdoms, and to the reconcilement of Robert and Scotland with the holy see, so salutary for christendom, the Pope engaged to give a favourable reception to his petition, when he should have successfully exerted his endeavours to effectuate those great objects. A. D. 1324. 13 Jan.

Availing himself of this favourable opening, Randolph cautiously and judiciously introduced more public matters, as if incidentally arising from the previous conversation. He mentioned that a solemn embassy would certainly be soon dispatched to solicit the reconcilement of his uncle and the Scots nation with the church; and, as if upon his own suggestion, he endeavoured to persuade the Pope to issue a safe conduct for the journey of the embassy through the territories of the intervening princes and barons. Aware of the tendency of this proposal, which would have made it appear as if the invitation had proceeded from himself, the Pope observed, that he could not, in the existing circumstances, grant formal letters of safe conduct, but that he was willing to issue his ordinary

A. D. 1324. 13 Jan. requisitorial and apostolic letters to the intervening princes and barons, for the safe passage of the Scots ambassadors through their dominions and districts.

Randolph, having so far conciliated the favourable attention of the Pope, now represented, as directly authorised by his uncle, that, having been informed that the King of France intended to make an expedition against the infidels, the King of Scots was desirous to undertake the holy warfare in conjunction with that sovereign; or, if that King were prevented from going by any weighty affairs, the King of Scots would either prosecute the expedition in person, or would depute his nephew to command in his place. To this the Pope replied, that it would not be decent or expedient to receive Robert as a crusader, either alone or in conjunction with the King of France, until he should be reconciled to the church, and had concluded a peace with the King of England.

Seeing the anxiety of the Pope for these great political objects, and having wisely soothed and conciliated the favourable dispositions of the pontif, Randolph now proceeded to the true object of his mission, with the

utmost caution, and the most consummate prudence. He asserted his own ardent desire for peace and reconciliation, and engaged that he would faithfully, industriously, and incessantly employ his best endeavours for their accomplishment; but insinuated that he could not hope for success, unless favoured by the efficacious assistance of the Pope to forward the good work. As if proceeding altogether from his own personal zeal, he expressed his opinion that it would be highly useful, and even indispensibly necessary, that the Pope should address his exhortatory letters to his uncle under the title of King; being thoroughly assured that his uncle would then cordially consent to the proposed peace with England, and would eagerly solicit his reconcilement with the church. But, reasoning from what had formerly happened, he was convinced his uncle would refuse to receive the papal letters, if not addressed to him by that title. By this cautious, prudent, and conciliatory management, he at length succeeded in persuading the Pope to concede the title of King to his uncle; and it is highly probable that he immediately procured the requisitorial letters with that important address.

A. D. 1324. 13 Jan.

A. D. 1324. 13 Jan.

The Pope, as if conscious that he had conceded too much, consistent with his engagements and connections with Edward, endeavoured, in the conclusion of his dispatch, to reconcile that prince to the concession which he had now made. He alleged his anxious desire for peace and reconcilement, always industriously naming peace, the object of English policy, before the reconcilement of Scotland with the church; and that neither of these could be attained in any other way. He asserted that neither the right and honour of Edward would be abated, nor the right of Robert strengthened by the concession of the kingly title: "As we remember to have formerly written. Therefore we exhort you, in your royal wisdom, patiently, and with kingly circumspection, to allow that we may address the said Robert under the title of royal dignity."

In the conclusion of his letter, the Pope mentioned having learnt that false rumours, injurious both to himself and the King of England, had been spread, as if the earl of Moray had made other proposals to the prejudice of the King and people of England; and declared that he would by no means

have listened to any such, unless in the presence of those who had the charge of the English affairs at the papal court. He alleged farther, that the lord of Sully, who was present during the whole conference, was so zealously attached to the honour and interest of the King of England, that he would assuredly have prevented the advancement of any such proposals, even if he, the Pope, had been inclined to listen to them. A. D. 1324. 13 Jan.

The casuistical arguments of the Pope in his dispatch to Edward, to justify or excuse the concession of the royal title to Robert, as a matter of indifference, and no ways prejudicial to the claims of the one, or corroborative of the pretensions of the other, were by no means satisfactory or convincing to the King of England. In his reply to the Pope, 1 April. Edward strongly remonstrated against this concession, as derogatory to the honour of the church, and prejudicial to the rights and pretensions of the crown of England. He alleged that the Scots nation would naturally conclude that the Pope meant to acknowledge the right of Bruce as King of Scotland, where he had already conceded the royal title; and he retorted the maxim already employed by

A. D. 1324. 1 April. the Pope, to justify his refusal to republish the sentence of excommunication, that no alteration ought to be made in the condition of the parties during the subsistance of the truce *. Yet, in the articles of that truce, he had agreed to a temporary reversal or suspension of the excommunication, which he now used his endeavours to prevent.

5 Mar. While these negociations were proceeding at the papal court, a son was born to the King of Scots at Dunfermline †. This event must have been a source of great joy to the court and loyal people of Scotland, as securing the promise of a direct male succession to the throne. But, through the long minority of this son, afterwards David II. and his singularly weak, though gallant character, during a reign of unusual length, the kingdom of Scotland was replunged into a long series of difficulty and danger, from which it was hardly preserved from being again subjugated by England, in consequence of Edward III. and his gallant son the Black Prince employing the whole energies of England in the attempt to make a conquest of France. These circumstances, however, are only incidentally noti-

* Foed. Angl. IV. 46. † Id. IV. 62.

ced in this place, as not belonging to the object of the present work. A. D. 1324.

After the conclusion of the long truce, Edward seems to have been anxious to have the negociations for a definitive peace recommenced. Whether with this view or not, it is impossible to determine, but at this time a safe conduct was issued for Edward, the eldest son and heir of John Baliol, to come into England *. He had resided for many years upon his paternal estate in Normandy, neglected by the court of England and forgotten by the Scots. This unaccountable measure may be considered as among those many weak expedients which Edward II. continually endeavoured to employ, for intimidating or dividing the Scots nation and government, and for paving the way to the conquest of that country, or its subjugation to the pretended supremacy of the crown of England. 2 July.

The negociations for which Randolph made an opening at the papal court with so much sagacity, appear now to have proceeded under regularly accredited envoys, and consequently the Pope must have conceded the kingly title to Robert, so judiciously extorted 10 July.

* Foed. Angl. IV. 62.

A. D. 1324. 10 July. by his nephew: As, in a dispatch to the Pope at this time, Edward exhorts his holiness to beware of listening to the pretended proffers of obedience from the Scots envoys, and that the Pope should rather use his endeavours to "nip their insolence in the bud *.

15 July. Advances towards a definitive negociation still continued. Safe conducts were issued by Edward for William, bishop of St Andrews, and Randolph, earl of Moray, each with fifty horsemen in their company, besides their servants, footmen, horses, and baggage, coming into England as envoys from Robert to treat of final peace and concord. Some demur appears to have occasioned a delay in the journey of the Scots envoys; as, about two months 23 Sept. afterwards, similar safe conducts were issued for these negociators, and for six other envoys †. And, in a month after, the safe conducts for the whole eight envoys were again 22 Oct. repeated and confirmed ‡.

8 Nov. In the beginning of November, a commission was issued to twelve Englishmen, to meet at York with the before mentioned Scots envoys, to proceed in discussing the terms of

* Foed. Angl. IV. 68. † Id. IV. 70.

‡ Id. IV. 102.

final peace and concord between Scotland and England. These negociations appear to have been carried to great length, but we are uninformed of the particulars. It is certain, however, that they were ineffectual, and that the envoys or commissioners from the two Kings broke up about the beginning of March 1325. Edward then informs the Pope of the rupture of the treaty; "because the Scots insisted upon conditions which must have produced the manifest exheredation of his crown in the opinion of his council; and that they had absolutely refused to submit the disputed articles to be discussed in presence, and under the mediation of the Pope; upon which the negociations had gone off for the time*." A. D. 1325. 8 Mar.

An ancient English historian gives the following account of the demands of the Scots on this occasion. 1. They required a full renunciation by Edward of all claim of homage from the crown of Scotland to that of England. 2. The cession of all the north of England, as far as the city of York. 3. The restitution of certain manors in England which had belonged to the King of Scots, and which had been escheated by Edward I. when Ro-

* Foed. Angl. IV. 140.

A. D. 1325. 8 March.

bert assumed the crown of Scotland. 4. The restoration of the fatal stone of Scone, on which the Scots Kings had been in use to be seated at their inaugurations. 5. The cementation of a firm peace between the nations, by the marriage of Edward, prince of Wales, with the daughter of Robert. 6. That the Pope and the King of France should become guarantees of the intended peace *.

In the first, third, fourth, and sixth of these articles, the historian is probably correct. The second could hardly have entered into the conception of the Scots envoys: But they may have required the restoration of North Tindale and the manor of Penrith, which had been enjoyed by Alexander III. under homage; and this demand may have been exaggerated into a claim for the whole northern part of England. In the fifth article, the historian has certainly mistaken the proposed parties, and substituted them for David, prince of Scotland, and the daughter of Edward, a marriage which afterwards took place.

The same historian alleges the following answers to have been given by the English

* Malmsb. 230.

envoys to the Scots demands. 1. That Edward could not resign the rights which his ancestors had enjoyed in Scotland, without manifest injury to his crown and dignity. 2. That the inroads of the Scots, on which they founded their claim to the cession of the northern counties, could convey no just pretensions to their sovereignty; otherwise, on similar reasons, all Scotland ought to belong to the crown of England. 3. That Edward could not decently rescind his fathers act, by which the lands which had formerly belonged to Bruce had been forfeited. 4. The chair of Scone had been taken away by his father as a trophy and memorial of victory and conquest, and its restoration would be a tacit acknowledgement of degeneracy; but was an object too frivolous to form a subject of contention, if the other matters were once agreed upon. 5. The proposed marriage was rejected, because unequal between the parties, and degrading to the dignity and honour of the English royal family. 6. That Edward was willing to refer the explanation or construction of the terms of peace, when settled, to any prince; but deemed it prejudicial to his hon- A. D. 1325. 8 March.

A. D. 1325. 14 May. our and interest to expose the particulars of the negociation, while under discussion *.

Notwithstanding the unsuccessful termination of these negociations, the long truce was still preserved, and Edward gave repeated orders for its due observance in the course of this year, and that immediately succeeding †. He still persisted, however, in his endeavours to counteract the exertions of Robert to procure a reconcilement for himself and his kingdom with the church. In one dispatch he alleges, "having received intimation that envoys from Scotland were soon to visit the papal court, and might attempt some things that were contrary to his interest, and to the tenor of the long truce, and urges the Pope not to listen to any such suggestions *."

24 Sept. In another dispatch, he entreats the Pope not to revoke the spiritual censures against Robert and the Scots, until they had made restitution to England of what they had seized during the subsistence of the papal truce, and still retained in contempt of the pontifical authority ‡. In a third, he thanks the Pope

* Malmsb. 231.

† Foed. Angl. IV. 146, 158, 198, 212, 224.

‡ Foed. Angl. VI. 148.

for having rejected the petition of the Scots for reconcilement with the holy see*. From this last record it certainly appears that the negociations which had been commenced with such judgment and sagacity by Randolph, had ultimately failed. This is not to be wondered at, considering the venal dependance of the papal court upon England, through numerous pensions and valuable ecclesiastical livings granted to the cardinals and the relatives of the Pope; an influence which the King of Scots was unable to counteract by similar and equal means.

A. D. 1323. 18 Oct.

For some considerable time, very few particulars respecting the history of Scotland are to be found in ancient authors, and such as occur are isolated, of small importance, and very shortly noticed. This may be considered as a proof of national peace, prosperity, and good government; as the usual and principal materials of history consist in instances of human misery, proceeding from domestic contention and foreign war. In this absence of more striking events, a singular law, enacted in a parliament holden at Glasgow in 1325, may be noticed. It forms the 26th chapter

* Foed. Angl. IV. 176.

A. D. 1325. in the Second Capitulary or Collection of the Statutes of Robert I. as incorrectly edited by Skene, in the publication usually called the Regiam Majestatem, from the two first words in one of the treatises or compilations which it comprises.

From this extraordinary law, it would appear that attempts had been made, or presumed, by widows to pretend pregnancy upon the decease of their husbands, and even to impose supposititious children upon their families, to the exclusion of the rightful collateral heirs. To prevent this fraud, a widow, declaring herself pregnant at the death of her husband, is commanded to be placed under the superintendance, or in the custody, of a discreet matron of unquestionable integrity. And, when arrived within one month of her delivery, she is required to invite the nearest relations of her deceased husband to live with her until that event shall take place. Whenever her labour shall begin, responsible guards are to be placed at the door of her dwelling; with strict injunctions to search every person desiring admittance, lest a child might be secretly introduced and imposed upon the family as her own offspring. Three candles

are required to be kept continually burning in the room all the time of her labour; and, whenever the child came into the world, it is to be exhibited without delay to the assembled relatives *. A. D. 1325.

These anxious precautions are obviously intended for securing the just descent of dignities and of property to the right heirs; and could never be meant to be enforced on the great body of the people, among whom there could be no inducement for any such fraudulent practices. It is highly probable, during the long continued troubles in Scotland, subsequent to the demise of Alexander III. forty years before this period, that some instances of such fraudulent substitutions had actually occurred, or had been violently suspected.

From the 33d chapter of the same capitulary, it appears that so great enmity had subsisted between the Scots clergy and laity of those times, that they were not admitted as witnesses against each other in courts of justice †. Many of the laws of Robert I. both in this capitulary of Glasgow, and in that of Scone in 1319, formerly mentioned, are evident-

* Reg. Maj. 366. † Id. 368.

A. D. 1325. ly borrowed from English statutes of Henry III. and Edward I. and some of them are almost literal transcripts. In this the King of Scots gave a proof of his wisdom and magnanimity, by not disdaining to adopt the useful laws of his greatest enemies. But, unfortunately, the establishment of the reign of law, justice, and regular government in Scotland was long prevented by intrigue and faction, through the early death of the illustrious Robert I. and the continual recurrence of long minorities, during the troubled reigns of his son and the descendants of his daughter.

1326. About this period, pursuant to his usual policy of strengthening his family by matrimonial alliances, Robert bestowed his sister Christian, the widow of Sir Christopher Seton, in marriage upon Sir Andrew Moray of Bothwell, who had been for some time the companion of the renowned Wallace, and his coadjutor in the command of the Scots army *.

The gallant Walter, high stewart of Scot-
9 April. land, and son-in-law to the King, now died. "Had he lived, he might have equalled Randolph and Douglas; but his course of glory was short though brilliant †." We chiefly

* Ford. XIII. xii. † A. of S. II. 130.

know him by his gallant defence of Berwick against the English, during which his conduct was judicious, masterly, and heroic. Barbour, who seldom expatiates unless upon the exploits and calamities of war, particularly records the death of the stewart, and feelingly commemorates his virtues and high promise of renown, if his days had been lengthened. Without specifying the nature of his disorder, he mentions that he fell sick at Bathgate: That his impending dissolution became soon evident; and, after devout confession and contrite repentance, he received the sacraments of the church in due form, and expired like a good christian *.

A. D. 1326. 9 April.

The stewart had done great and meritorious service in the memorable battle of Bannockburn, and in the defence of Berwick. He was deemed worthy to govern and defend Scotland during the absence of his King and father-in-law on the expedition into Ireland. Yet the especial and honourable mention of him by Barbour, on occasion of his death, with such studied panegyric, may possibly have proceeded from a desire in the historian

* Barb. XIX. 203—214.

A.D. 1326. 9 April. to render his performance the more acceptable to his sovereign Robert II. the son of Walter, in whose reign he composed and published his Metrical History of the Renowned Bruce.

About the same period, Randolph, earl of Moray, who had been sent ambassador from his uncle to the court of France, concluded a treaty of alliance, offensive and defensive, at Corbeil, between the kingdoms of Scotland and France*. From this alliance, frequently renewed between their successors, Scotland reaped many and bitter fruits; in consequence of being frequently engaged in destructive wars with England, in quarrels not her own; while France, on several memorable occasions, derived material military succours even on its own ground, and was often enabled to divert a considerable portion of the strength of England from her continental wars, for the defence of her own borders against invasions from Scotland. Even in the next reign, the court of France scandalously abandoned the distracted kingdom of the infant David to the mercy of England, without even endeavouring to interpose the unavailing aid of negociation in her behalf.

* Leibnitz, Cod. Jur. Gent. I. 116.

By the treaty of Corbeil, the two contracting parties engaged to make common cause in all future wars between England and either party, when so required, and neither party was to lay down their arms, or to enter into any treaty of peace or truce, without comprehending the other party. Robert, however, judiciously reserved himself free from the effect of this engagement, so long as the lately concluded long truce with England should subsist*. A. D. 1326. April.

The envoys from the King of Scots to Charles IV. King of France and Navarre, on this occasion, were Thomas Randolph, earl of Moray and lord of Annandale and Man, Robert de Keith, marshal of Scotland, James Ben, archdeacon of St Andrews, doctor of laws, Adam Moray or de Moravia, doctor of decretals, and Walter de Twynham, canon of Glasgow. Of these, according to their commission from the King of Scots, the earl of Moray was chief, or *sine qua non*, and had full powers to negociate and conclude an alliance with the King of France, in conjunction with any four, three, two, or one of the other commissioners; of whom Robert de Keith

* Parl. Recor. et Scotl. I. 84.

A. D. 1326. April. does not appear to have been present at Corbeil *.

It has been alleged that this treaty contained the following singular provision: That, in case of a vacancy of the throne in either kingdom of Scotland or France, attended by a dubious or disputed succession, the judgment of the principal nobles in both kingdoms was to be resorted to, and their decision was to be supported by the sovereign of the other kingdom with all his power and influence, who was even bound to resort in person at the head of his whole military force, to defend and maintain the lawful heir †. But this is a gross error, for the treaty, of which an authentic copy will be found in the Appendix, contains no such provision, and is a mere alliance offensive and defensive, as already described.

In a parliament assembled at Cambuskenneth, near Stirling, in July 1326, consisting of the earls, barons, and all the nobility or capital freeholders of Scotland, together with the representatives of the people, an engage-

* Copy of this Treaty, Appendix No. 1.

† Daniel, Hist. de France, III. 397, 398.

ment was entered into upon oath, for the performance of fealty and homage to prince David, the only son of Robert, and to receive and support him as the successor to the crown; whom failing, to Robert Stewart, the only child of the late princess Marjory, the Kings daughter *. According to the investigations and opinion of the late celebrated Henry Home, Lord Kaims, it would appear that the representatives of the people, mentioned as present in this parliament, must have been citizens and burgesses, deputed for that purpose from the cities and burroughs of the kingdom, and now first admitted into the Scots legislature †. In the preceding part of this reign, and in all the former periods, no such representation appears to have taken place. A. D. 1326. July.

By this parliament, a revenue or subsidy was granted to the King of a tenth part of the rents of all the lay lands of the kingdom, according to the *extent*, or valuation of these lands and revenues, as followed during the reign of Alexander III. This aid or taxation was appointed to continue during the life of their illustrious sovereign, in consideration of the great diminution which the lands and re-

* Ford. XIII. xii. † Law Tracts, Ap. No. 5.

A. D. 1326. July.

venues of the crown had suffered during the long war with England, and in acknowledgement of the highly meritorious services performed by the King, and the great sufferings he had undergone, in the course of regaining and preserving the national honour and independance.

Though this parliament is declared to have been remarkably full in the attendance of its members, yet no mention is made of any of the clerical order being present, who usually constituted so large a portion of the legislature. This circumstance was probably occasioned by the claim of the clergy to be exempted from having their revenues taxed by parliament. The patrimony of the church being held as too sacred to be touched by the unhallowed hands of the laity; and the ecclesiastics insisted upon the privilege of granting their own money in an assembly or synod of their own order. This may have assembled at this time, for the purpose of making a similar grant, or of tendering an equivalent, though no such circumstance remain on record.

CHAPTER XXVIII.

Revolution in England; Infraction of the Long Truce; and Invasion of England by the Scots, in 1327.

HARDLY had the war between Scotland and England been put a stop to by the truce of Thorpe, when fresh discords arose in England, between the infatuated Edward and the Despensers on the one part, and Queen Isobella and the remnant of the Lancastrian party on the other, chiefly now conducted by Roger Mortimer. It is not necessary or compatible with the plan of this work to explain the intrigues and measures of these hostile parties. All that can be noticed on the present occasion is, that in consequence of a revolution, planned, conducted, and executed, by his consort and her minion Mortimer, and as- A. D 1327

A. D. 1327. sisted by a foreign force under John de Beaumont, brother to the sovereign earl of Hainault and Holland, and with the co-operation of the malcontent barons of England, Edward II. was deposed and immured in prison, and his son Edward III. then about fourteen years of age, was seated on the throne under the tutelage of his mother and Mortimer. The 24 Jan. authentic instrument of the forced resignation of the father, is dated on the 24th January 1327 *, and it appears that the son was crowned on the 1st or 2d February; though Froissart, who wrote a portion of his chronicle at the court of Edward III. alleges that his coronation took place on Christmas day 1326 †.

Our excellent annalist was disposed to consider the differing opinions of historians respecting the deposition or resignation of Edward II. as merely verbal and of no signification or importance ‡. But, under the circumstances of restraint, intimidation, and controul, which the revolution and its consequences had imposed upon him, his act of resignation was obviously a constrained deed; and, however it may have been glossed by

* Foed. Angl. IV. 243.

† Froiss. I. xvi. Hemingf. II. 267. ‡ A. of S. II. 130.

courtly language, he was most certainly and A. D.
effectually deposed from an authority which 1327.
he never possessed talents for executing, and 24 Jan.
which he had imprudently delegated during his whole reign to unworthy and contemptible favourites, who misguided his weakness to his and their own disgrace and ruin. By a modern English writer, Edward II. is said very appropriately "to have been, by sentence of parliament, and by his own resignation, deposed and laid aside *." It is no difficult matter to comprehend the motives of a parliament, when called together by the armed leaders of a successful revolution, and to appreciate the meaning of a resignation, from a King who was a prisoner in the hands of fortunate rebels. But the revolution in England is only here incidentally noticed as connected with the subsequent events in the history of Scotland.

Only a little before the development of the conspiracy which proved fatal to Edward II. 29th August 1326, he had sent an envoy to enter into some explanations with the King of Scots concerning the import of certain articles in the recent truce, which Robert alleged

* Tyrrel, III. ix. 337.

A. D. 1327. 24 Jan. had been infringed, and for which redress had been denied by the English conservators. And he authorised this envoy to conclude finally respecting the disputes, with commissioners appointed for the purpose by the King of Scots *. 25 Feb. Soon after the accession of Edward III. he, or rather the new administration acting in his name, issued a proclamation for preserving and maintaining the existing truce with Scotland †. 4 March. The court of England again renewed the negociations for a definitive peace, which had been abruptly broken up about eleven months before, and which the confusions incident to the late revolution had prevented from being resumed §. 8 March. And only a few days afterwards, they ratified and confirmed the truce of Thorpe in the most ample form ||.

In the midst of all these apparent demonstrations of pacific intentions, the seeds of new hostilities germinated upon both sides, and Robert seems to have resolved upon a renewal of the war. 5 April. From the proclamation issued for assembling the military array of England, it seems probable that, in some pre-

* Foed. Angl. IV. 224. † Id. IV. 256.

‡ Foed. Angl. IV. 270. || Id. IV. 271.

liminary negociation, preparatory to the formal opening of a congress to treat of peace, the King of Scotland had explained his determination to insist for the recognition of his title, and for the acknowledgement of the independance of his country, and had been given officially to understand that the ministry of the young King of England were equally adverse with those of the former reign to make those concessions *. This seems to have been the true reason in the councils of the King of Scots for resolving upon a renewal of the war, in hopes of intimidating or compelling the still unsettled government of England to make peace upon an equable footing, before the consolidation of their authority, and perhaps more vigorous and wiser measures than those which had distinguished the late reign, might enable England to push its ambitious pretensions with a dangerous ascendancy of power and talents.

A. D. 1327. 5. April.

Various reasons are assigned by different ancient authors, as inducing the King of Scots to break the subsisting truce, even while negociations for a final peace were actually pending; and, besides what has been already no-

* Foed. Angl. IV. 281.

A. D. 1327. 5 April.

ticed, Robert may have been more or less influenced at the present conjuncture by some of those other motives which are attributed to him. It is alleged that the Scots court had discovered the employment of some underhand intrigues by the English to their prejudice *. We have already had occasion to notice, that Edward II. had successfully influenced the Pope to refuse even a temporary absolution of the sentences of excommunication and interdict, in evident contravention of one of the articles in the long truce; and it is not at all improbable that the ministers of Edward III. at the papal court, may have continued to obstruct the anxiously desired reconcilement of Robert and his kingdom with the head of the church.

Barbour attributes the infraction of the truce to the English, and on the following grounds. The principal trade of Scotland at that time was with the Flemings; and many ships, passing with merchandise between Flanders and Scotland, had been captured by English cruisers; numbers of their mariners had been slain, and many made prisoners, contrary to the stipulations of the truce; and all re-

* Ford. XIII. xii.

dress or reparation had been eluded or refused, though repeated applications had been made for that purpose*. A. D. 1327. April.

Instead of any justificatory motive, Froissart attributes views to the King of Scots which may have contributes to expect success, but which of themselves could only have influenced the ambition of a rash and inexperienced sovereign. He alleges that, taking advantage of the youth of Edward III. and his ignorance in the arts of war and government, and presuming upon the instability of the new administration in England, which was founded on recent and hardly allayed civil dissention, and upon the unsettled and disunited state of the English nobles, involved in long opposing blood-stained factions; the King of Scotland resolved to invade England, in retaliation for the many injuries which he and his people had suffered, and in the hope of making a permanent conquest of some portion of that kingdom †.

In his observations on the declaration in the Scotichronicon, that the King of Scots renewed the war from the discovery of fraudu-

* Barb. XIX. 191—202. † Frois. I. xvi.

A. D. 1327. April.

lent secret practices by the court of England against his interest, a modern writer of the Life of Edward III. indignantly repels the imputation, "because the English nation was never noted so much for finesse and subtlety, as for downright honesty and blunt valour*." This author forgot that the manners and dispositions of a nation form no criterion on which to appreciate the conduct of the sovereign and his counsellors and ministers; and the direct dispatches from Edward II. to the Pope, independant of the secret instructions to his envoys, and their intrigues at the papal court, are fully sufficient to justify the account of Fordun.

Doubtless with the purpose of throwing the whole odium of the renewal of the war on Robert and the Scots nation, two modern English writers, on the authority of an obscure chronicle quoted by Stow, affirm that the Scots commenced hostilities on the 1st of February 1327, the day on which the young King was crowned, by an unsuccessful attempt to take the castle of Norham by storm or surprise†. This, however, is a gross error. We have already seen that the truce

* Barnes, 5. † Barnes, 5. Tyrrel, III. 340.

concluded between the two governments in the reign of Edward II. was ratified by the young King on the 8th March. Negociations even for a definitive peace were going on between the two governments as already mentioned, which commenced on the 4th March, and appear to have been continued or renewed upon the 3d April *. It farther appears from the Foedera, that the Scots had not commenced hostilities on the 29th April †. And the first mention of the invasion of England, in an authentic public instrument, is dated on 15th July ‡. Yet, on the 5th April, a war was evidently apprehended; as, on that day, Edward III. issued a summons of array for the whole military force of his kingdom to assemble in arms at Newcastle on the Monday next before ascension day, 30th May, to repel the intended invasion of the Scots, and to proceed farther to recover the rights of his crown §. In this proclamation, Edward recites, that commissioners had been appointed to meet for negociating a final peace on the Sunday next before ascension, or the 29th

A. D. 1327. April.

5 April

* Foed. Angl. IV. 287. † Id. IV. 287.

‡ Id. IV. 296. § Id. IV. 281.

A. D. 1327. 5 April.

May: But that he had received certain information, that the King of Scots had already ordered the whole military force of Scotland to assemble by that day on the borders, meaning, if he could not obtain a peace conformable to his inclinations, to invade England notwithstanding the subsisting truce.

Barbour alleges that the King of Scots dispatched a messenger to the court of England, with orders to declare the truce at an end*. Froissart says that he sent a formal defiance to Edward III. by heralds in the style of chivalry, threatening to lay England waste with fire and sword as extensively as he had done after the battle of Bannockburn †. The truth appears to be, that Robert may have intimated to the court of England, that, unless it would consent by a particular day to recognise his title and the entire independance of Scotland, he would declare the truce between the two nations at an end; and he may have urged the infractions of the truce, and the subsequent refusal of demanded redress, as justificatory motives for renewing the war. And, foreseeing the probable rejection of the proferred basis of negociation, so often perti-

* Barb. XIX. 237. † Frois. I. xvi.

naciously refused already, he may have commanded his military force to be in readiness to maintain the dignity of his crown and the independance of his country, both outraged by the persistance of the court of England in their unjust pretensions. A. D. 1327. 5 April.

Froissart alleges that Robert was now very old; though, in reality, he had then only attained to fifty-three years of age. He may, however, have then been very infirm; as he long laboured under an inveterate disorder, called the leprosy by some authors, and which Froissart denominates *la grosse maladie**. Yet, although he did not take the command in the memorable invasion of England, to be afterwards narrated, we shall find him personally in the field, in some of the operations of this new war.

On receiving intelligence of the intended assemblage of the Scots forces, Edward, as already mentioned, issued orders for the whole military array of England to meet him in arms at Newcastle on the 30th May †. Froissart assigns York as the appointed place of rendez-

* Frois. I. xxiv. Hemingf. II. 270.

† Foed. Angl. IV. 281.

A. D. 1327. 5 April. vous *; but Newcastle is expressly ordered in the summons. This apparent discrepancy may be easily reconciled or explained. The original summons certainly appointed Newcastle; but it is obvious, from what will afterwards appear, that the court and head-quarters of Edward were long established at York, where, and in the neighbourhood, the English army actually assembled. From York that army began its march against the Scots, and it never was at Newcastle during the whole campaign. Various detachments, indeed, may have advanced to Newcastle; but the Scots invasion was executed so early, and so ably conducted, that the English army had the mortification to behold, on its arrival at Durham, the smoke proceeding from the Scots devastations, which had already considerably overpassed Newcastle.

Besides the whole feudal services of the barons of England, Edward commanded the naval service of the cinque ports, and other maritime towns of England, to assemble at Skymburness to give assistance in the Scots war, and appointed Waresius de Valoignes, admiral of the fleet from the river Thames along

* Frois. I. xvi.

the whole south and west coast of England, including the cinque ports*. The magistrates of all the cities and towns in England were ordered to send as many men as they could possibly raise to the appointed rendezvous, all competently armed, and each to bring a horse of 30 or 40 shillings value; and their acquiescence in this order was not to be drawn into precedent. Forty-three cities and towns are mentioned on this occasion: of which London alone had a mayor and alderman, thirteen others had mayors and bailiffs, and all the rest bailiffs only. In addition to all these, orders were issued to the arrayors and subarrayors of the northern counties, who had been appointed by Edward II. commanding them to call out the whole fencibles, both horse and foot, or every man capable of bearing arms, between the ages of sixteen and sixty, that they might be in readiness to proceed against the Scots, under severe penalties for disobedience †.

A. D. 1327. 29 April. 27 June.

So great was the alarm in the English court on the present emergency, that Edward engaged John Lord of Beaumont,

* Foed. Angl. IV. 284. † Id. ib. 292.

A. D. 1327. 27 June. brother to the earl of Hainault, to bring to his assistance from the continent a considerable body of heavy cavalry or men at arms, at a vast expence*. This foreign nobleman had been a chief instrument in effecting the recent revolution in England, in which he had very materially assisted Queen Isobella to dethrone her husband. Froissart gives a long enumeration of the principal leaders under John de Beaumont, from Hainault, Flanders, Brabant, *Bohemia*, Cambresis, and Artois; and says that these foreign mercenaries amounted fully to five hundred men at arms, all well appointed and excellently mounted; besides a considerable number of similar troops, which came afterwards to York, under William, the son and heir of the earl of Juliers, and of Thierry de Hamberque, or Henry de Heinseberghe, afterwards earl of Loss†. These two names are given to the same person, from erroneous transcription, in different old editions of Froissarts chronicle. It were quite useless to enumerate the long list of foreign names in Froissart, as altogether uninteresting to the English reader; but it may be observed that the Bohemian knights mentioned by Froissart,

* Foed. Angl. IV. 290, 293. † Frois. I. xvi.

were probably from Luxemburgh, as John, the hereditary sovereign of that country, was then King of Bohemia, to which he had been raised in 1310, in consequence of having married Elizabeth, the daughter of Winceslas IV. and their names or titles, in the before mentioned list, are evidently French, not Bohemian. A. D. 1327. 27 June.

If the whole of these foreign troops be estimated at six hundred men at arms, and it be supposed that each lance or knight had the usual accompaniment of four valets, squires, or sergeants, more lightly armed, this mercenary force may be assumed at three thousand men; and the large reward or subsidy of fourteen thousand pounds, equivalent to L. 210,000 of our modern money, equal to 70 modern pounds for each soldier on the average, fully justifies this estimate of their numbers; and evinces the anxiety of the English court on the present alarm of a Scots invasion *. Besides this subsidy, John de Beaumont had a farther gratification of an yearly pension of 1000 marks, equal to L. 10,000 a year of our present money of account †.

* Foed. Angl. IV. 293, 303, 357. † Id. ib. 335.

A. D. 1327. 27 June.

Besides these extensive preparations for enabling him to take the field with a powerful army, Edward gave orders to restore and strengthen the fortifications of York*; where he resided with a splendid court during the assemblage of his army, and where the Queen his mother continued to reside during the ensuing disastrous campaign against the Scots†. He farther detached a considerable body of troops to defend the borders against the Scots, while waiting for the complete assemblage of his army, more especially of the foreign mercenaries, on whom he seems to have placed great dependance. The troops appointed for the defence of Newcastle were commanded by the earl marshal of England, and the earls of Hereford and Mowbray were sent to Carlisle with a strong body of Welsh‡. But these detachments do not appear to have ventured beyond the walls of their fortified stations.

About this time, likewise, he invited Edward Baliol from France §; that he might be at hand, if any favourable opportunity offered,

* Foed. Angl. IV. 296. † Frois. I. xvi.

‡ Frois. I. xviii. § Foed. Angl. IV. 295.

to act as a pretender to the throne of Scotland, which his father had disgraced and pusillanimously abandoned. In the long list of foreign leaders under John de Beaumont, Robert de Bailleul, and William his brother, are included, who may have been connections of the Baliol family. A. D. 1327. 27 June.

In the mean time, the Scots army, having assembled on the western borders, commenced the long threatned invasion of England*, which they laid waste with fire and sword, at least as far south as the river Wear, where we shall afterwards find their army encamped. The Scots army, according to Barbour, consisting of about ten thousand men, was under the chief command of the earl of Moray, assisted by Sir James Douglas, Donald earl of Mar, and James Stewart, brother to the lately deceased Walter the high stewart of Scotland†. Moray is characterised by Froissart as an exceedingly courteous prince, and most valiant in deeds of arms; and Douglas, whom he erroneously names William, he says was esteemed the bravest and most enterprising commander then to be 15 July.

* Ford. XIII. xii. Froiss. I. xvii.

† Barb. XIX. 239—250.

A. D. 1327. 15 July.

found in the two British kingdoms *. These gallant warriors had been, almost from the first of his varied fortunes, the constant faithful subjects and companions in arms of the valiant King of Scots; in whose service, by his example and their own experience, they had acquired the most perfect knowledge of the art of war, as adapted to the nature of the country in which they were now engaged, and according to the circumstances and arms of the troops on either side. Fortunately for their king and country, they never appear to have been actuated by those mean jealousies which so frequently thwart the operations of divided or conjunct command. The character of steady undeviating wisdom, and prudently judicious guidance, seems to have belonged particularly to Moray; while Douglas possessed all the fire of chivalric enterprise, more fitted to act than to direct in the greater operations of war. One part of their policy, from which they never swerved, was uniformly to avoid pitched battles with the English on equal terms, who were greatly better armed and better mounted than the Scots troops, and never to fight at all unless

* Froiss. I. xvi.

on manifest advantage of ground or numbers. A. D. 1327. 15 July.

Froissart asserts that the Scots army contained four thousand men at arms, knights and squires, well armed and mounted upon good war horses; with full twenty thousand light troops, armed after their manner, but he does not specify what this manner was; and he adds that all of these were mounted on ponies, or small hackneys *. The discordant numbers of Barbour and Froissart may in some measure be reconciled, by supposing the excess to have been made up of unwarlike followers of the army, intent only on plunder.

Though not directly connected with the history, it may at least amuse curiosity to remark the use of the old French term *haquené* for a small horse of common use, as contradistinguished from the great courser or war horse which carried the ponderous iron clad knight, besides the horse being frequently loaded with defensive armour. It has been loosely supposed, that the English term hackney took its origin from a village of that name near London; under the gratuitous no-

* Froiss. I. xviii.

A. D. 1327. 15 July.

tion that its inhabitants were peculiarly horse hirers, and supplied the citizens of London with horses named after that village. If the name of the village have any relation with this trade in horses, the horse must have been the name-father, not the village.

Not having the advantage of any relation of the particulars of the Scots invasion, as we have of the movements of the English army in its long and fruitless efforts to meet and fight the invading enemy, it may be proper here to give a general account of the mode of warfare adopted by the Scots, in their invasion of England, as particularly described on this occasion by Froissart. He most probably drew up his account from the information, or journal, of one of the foreign companions of John de Beaumont. We translate liberally from the curious chronicle of that contemporary writer; but it must be previously remarked that, in the account of distances, Froissart uses the term *leagues*, which he sometimes distinguishes as English measure, but not always. Were French leagues intended, of about three modern English miles, the marches he occasionally mentions, of twenty to twenty-four leagues, or sixty to seventy English miles in one day, would be

entirely beyond probability. But if his leagues be considered as computed English miles, or perhaps equal to one modern English statute mile and a half each, a march of twenty-four such miles, or about thirty-six measured miles, though long for an army so much in want of forage as he describes, and in such a country, would still be within credibility. Besides, we are told that the Scots army had many followers on foot; and as it was likewise obliged to drive its store of live cattle, procured by plunder for subsistance, along with all its motions, the longer distance, which French leagues would produce, seems utterly impossible. In such a predatory war, however, it is most likely that considerable parties of the most alert and best mounted marauders, would advance far beyond the heavier armed main body; which would keep together in compact order, as a reserve on which the plundering detachments might rally on any emergency. The following general relation, of the Scots mode of warfare in the present campaign, is taken from several detached portions of Froissarts account of this war, thrown together for the sake of connection.

A. D. 1327. 15 July.

A. D. 1327. 15 July. "The Scots are brave and hardy, exceedingly dilligent in warfare, and expert in arms: insomuch that, when they invade England, they often march their troops twenty, or even twenty-four leagues during one day and night. All are on horseback, except only the rabble of followers, who are afoot. The knights and squires are well mounted on large coursers, or war horses; but the commons and country people have only small hackneys or ponies *.

"Owing to the mountainous nature of the county of Northumberland, through which they have to pass, they use no carriages to attend their army, and consequently carry no provision of bread and wine along with them. Such is their hardihood and sobriety in war, that they content themselves for a long time with half cooked flesh without bread, and with water unmixed with wine. They have no occasion for pots or kettles, as they contrive to dress their victuals after a manner peculiar to themselves, knowing that they shall always find abundance of cattle in their enemies country †.

"When they have slain and skinned the cattle, which they always find in plenty, they

* Froiss. I. xviii. † Id. ib.

make a kind of kettles of the raw hides with the hair on, which they suspend on four stakes over fires, with the hair side outmost, and in these they boil part of the flesh in water, and they roast the remainder of the flesh by means of wooden spits hung upon wooden spit-racks, and disposed around the same fires. Besides, they make for themselves a species of shoes or brogues of the same raw hides, with the hair still on them.

A. D. 1327. 15 July.

"Each person carries, attached to his saddle, a large flat plate of iron, and has a bag of meal fixed on horseback behind him. When, by eating flesh cooked as before described, and without salt, they find their stomachs weakened and uneasy, they mix up some of the meal with water into a paste; and, having heated the flat iron plate in the fire, they knead out the paste into thin cakes, which they bake or fire on these heated plates. These cakes they eat to strengthen their stomachs. Faring in this hardy manner, it is not wonderful that the Scots should be able to make longer marches than any other troops, being altogether unincumbered with baggage and provisions *."

* Froiss. I. xvii.

A. D. 1327. 15 July.

The expression used by Froissart in the above passage, that the flat piece of iron was carried between the saddle and the *penon*, was even unintelligible to his French editor and annotator, Sauvage. Lord Hailes thought it might mean the crupper: But it most probably is the same ancient French word, whatever that may be, from which the Scots have borrowed or corrupted the term *pillion*, which signifies the small saddle, bolster, or cushion, that is fixed behind the riding saddle, for protecting the loins of the horse from the portmantua or luggage, or for carrying a woman behind a man. In his account of the use of the flat iron plate, and the employment of the meal which each horseman carried, Froissart very accurately describes the still existing practice in Scotland, of preparing and baking oaten cakes upon a girdle. In another part of his relation of this war, he mentions, that certain of the English were accustomed to the same mode of baking cakes of meal and water, when engaged in inroads into Scotland; and we know that oaten cakes, baked after an exactly similar manner, are still used in the north of England, and as far south as into Lancashire and the west-riding of Yorkshire.

It does not seem irrelevant to the present subject to enumerate the still customary uses of oatmeal in Scotland and the north of England, as applicable to war and long journies; and which, probably, were all made use of by the Scots army, in the present campaign. Oaten meal, seasoned with salt, and boiled with water, into a kind of pudding or flummery, called porridge, is a standing breakfast among the commons, and is eaten along with milk, butter, or beer. Mixed up, without boiling, with the soup or liquor in which meat has been boiled, and seasoned with the melted fat skimmed off, it is much used in Scotland under the name of *brose*, and in the north of England, where it is called *crowdie*. On long journies, the hardy Scots Highlanders still content themselves with a thin paste of oatmeal and cold water stirred together, which they call *drammoch*. All of these modes might have been used by the Scots troops in the present invasion of England. With the abundant supply of beef, which we are assured they found in all quarters, a peck of oatmeal, or eight avoirdupoise pounds and three quarters, may easily have sufficed to each man for ten or twelve days: And, as A. D. 1327. 15 July.

A. D. 1327. 15 July.

each person may possibly have carried three or even four pecks of meal behind him, these hardy invaders would surely be in no want of provisions during a forty days forray. They might likewise procure occasional supplies in the course of their ravages, by plundering the open towns, villages, and grist mills; which last they might even set to work in the rear of their army.

Leaving the Scots army to ravage the north of England, the particulars of which are no where related, only that they plundered and burnt all the villages and open towns, and seem not to have assailed any place of strength, we now return to follow the motions of the English army; of which we have a most minute account in Froissart.

CHAPTER XXIX.

Journal of the Campaign of Edward III. against the Scots Invaders in 1327.

After the arrival of Lord John de Beaumont at York with his auxiliary troops, about the Feast of Pentacost, the young King of England and his mother Isabella, held a splendid court in the convent of Friars Minors, where they resided, and gave a magnificent entertainment in honour of Lord John and the principal leaders of the foreign auxiliary troops which he commanded. At this sumptuous feast, Edward was attended by five hundred knights, and created about fifty new ones on the occasion; while the queen mother had above fifty ladies of rank in her train. The feast is described as having been conducted with extraordinary magnificence, A. D. 1327. 23 June.

A. D. 1327. 23 June.

and served with the utmost order and decorum: But the cookery is said to have disguised all the dishes with so much ingenuity, that none of the guests were able to discover what were the ingredients of which they were composed*. Thus, what we now call French cookery, seems to have been well known in England nearly five hundred years ago; and the doughty barons and warlike knights of those days did not, always at least, confine themselves to the boasted English sirloin, or substantial beef and pudding.

According to Froissart, this entertainment was given on the festival of the Holy Trinity, or the 30th of June: But a commission which was issued by Edward, to enquire into the circumstances of an unhappy affray which so unseasonably disturbed the harmony of this magnificent feast, and to report whether its commencement was attributable to the misconduct of the foreign mercenaries, or of the English infantry, is dated on the 24th of June†. Hence Froissart must have been mistaken or misinformed, in dating the feast and subsequent disturbance on Trinity Sunday. It is highly probable that the commission above

* Froiss. I. xvii. † Foed. Angl. IV. 292.

mentioned was issued on the day succeeding the riot; which may, therefore, have occurred on the 23d of June, or the Sunday before Trinity. A. D. 1327. 23 June.

It was intended to have followed up this splendid feast, by an entertainment of music and dancing, or a court ball. But, soon after dinner, the festivity was most unpleasantly disturbed, by the breaking out of a violent affray between nearly three thousand of the English archers, and the lacqueys or attendants of the foreign mercenaries, who happened unfortunately to be quartered together, in the same subnrb of the city of York. It was alleged that the archers had been instigated, in their quarrel with, and attack upon, the foreigners, by certain friends of the late Le Despensers and of the earl of Arundel, favourites of Edward II. who had been put to death in the late revolution; and that the rancour on this occasion was chiefly levelled against John de Beaumont, who had been greatly instrumental in that recent event †. This assuredly may have been the case; but it consists with the experience of all ages, that such disagree-

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* Froiss. I. xvii.

A. D. 1327. 23 June.

ments often happen on very slight grounds, between the allied troops of different nations; frequently between the subjects of the same prince, speaking different languages, or only different dialects of the same speech: Not unfrequently from not clearly understanding each other, by which the smallest spark of disagreement is blown up to an irreconcileable quarrel.

In this affray several of the foreigners were wounded, though none of them appear to have been killed; which can only be accounted for on the supposition that the archers were altogether unarmed; and, consequently, that the quarrel was entirely accidental. The foreign leaders hastened from the feast towards their quarters, to endeavour to quell the tumult, or to assist in protecting their people from outrage. Froissart menions three of these leaders by name as very brave and uncommonly powerful men; who, not being able to reach their quarters to procure arms, took some stout oaken bars from the shop of a cartwright, and laid about them so manfully as to knock down above sixty of the English archers. The rioters were at length dispersed, and near three hundred of them are said to have been slain during the tumult, and in

the pursuit among the fields round York. All those killed are said to have belonged to the bishopric of Lincoln *. A. D. 1327. 23 June.

The information of Froissart, on this occasion, is corroborated by a writ in the Foedera, already noticed, in endeavouring to ascertain the date of this affray. Edward granted a commission to Henry le Scroop, Walter de Beauchamp, Nicholas de Langeton, and Simon Crozier, to enquire into certain quarrels which had occurred at York, between the Hainaulters, who had come at his request to aid him in the Scots war, and some foot soldiers of Lincoln and Northampton shires and other places, in which several slaughters, murders, and robberies had been perpetrated; and commanded the commissioners to certify whether the disturbance had been begun by the foreigners, or by his English subjects †.

After the suppression of this tumult, the foreign mercenaries were under the necessity of keeping constant and strict watch in their quarters, and of appointing regular guards and patroles in all the roads and fields around the city of York, to give timely notice of any farther attack from the archers: And when

* Frois. I. xvii. † Foed. Angl. IV. 293.

A. D. 1327. 23 June. the English army marched northwards, the foreigners were always encamped or quartered immediately adjoining the royal quarters, both to do them honour and for their better security against the vengeance of the English infantry, of whom above six thousand are said to have entered into a conspiracy for the destruction of the foreigners, in case of any favourable opportunity occurring. So rancorous was the hatred entertained against them, that the foreigners never considered themselves in safety till after their return to the continent *.

The English army appears to have remained at York for three weeks after this tumult; during all which time, and for two weeks before, though upwards of forty thousand armed men, besides the attendants of the army, were in and round York, wine, provisions, and provender of all kinds were to be had in abundance, and continued to be sold at their ordinary prices. Besides hay, straw, and oats for their horses, with poultry and all kinds of meat, Froissart particularises three kinds of wine, as then usually drank in England, and to be had cheap and in abundance at York †.

* Frois. I. xvii. † Id. ib.

Two of the wines mentioned by Froissart, Gascony or claret, and Rhenish, are still well known. The third, named *Aussois*, even his French editor and commentator, Sauvage, was utterly at a loss to explain. He mentions the district of Ausserois, round Aussere sur Yonne, as producing good wine; but seems disposed to consider the wine in question as having come from Alsace, and supposes the word Aussois may have been a corruption of some transcriber. Were it allowable to make a conjectural emendation or restoration of the text, the original words in Froissart might be supposed to have been *vin au sac;* his method of writing the English name of *sack*, the favourite beverage of Falstaff, our modern sherry, named sack from being transported in skin bottles, or sacks, from the vine-yards to the sea ports. A. D. 1327. June.

It is rather singular that the long famed English beer is no where mentioned by Froissart; though brewing, at least in the Netherlands, his native country, was then a business of very considerable importance, as appears from the famous brewer of Ghent, a great demagogue in the political struggles of the time, and afterwards a very useful ally of Edward III. in his French war, by lending him large

A. D. 1327. June. sums of money. We likewise find no mention of brandy, or any other spirits, which probably still remained expensive cordials in the shops of the apothecaries. Cyder, likewise well known to have been a common beverage of the English in those days, is never mentioned.

Three weeks after the affray between the English archers and the foreign mercenaries, the King and the marshals, or principal leaders of the English army, issued orders for the whole to provide tents, carriages, and all other requisites for taking the field; all of which were to be ready within the ensuing week *.

10 July. Every thing being ready for taking the field according to orders, the King and barons of England left York, and established their quarters, according to Froissart, six leagues north of that city †. Whether he here means to express English computed miles, or French leagues, does not appear. But, from authentic instruments, it is certain that Topcliff, *about nine* miles from York, was the station at which the King halted, either on the 10th or 11th of July; and we have two writs in the

* Frois. I. xvii. † Id. ib.

Foedera, dated 12th of July from that place *. A. D. 1327. 12 July.

According to the lowest estimation, the army now mustered by Edward, and put in motion to repel a predatory inroad of the Scots, amounted to fifty thousand fighting men †. We have already noticed that Barbour makes the Scots army to have been only ten thousand, while Froissart extends their numbers to twenty thousand. Taking them even at this highest computation, they were exceeded by the English in considerably more than a double ratio; and assuredly the English were much better armed, and infinitely better appointed in all things for battle than their enemies. Yet, as proved by the event, they were not nearly so well prepared and adapted for the species of warfare in which they were going to engage, in the moors and bogs and mountains of the north of England. In the conduct of this vast army, the English leaders fell infinitely behind the spirited intelligence of the two gallant and experienced brothers in arms, who led the Scots invaders. The genius of Edward III. for war, when years and experience had matured his judgment, certainly equalled or surpassed his

* Foed. IV. 295, 296. † A. of S. II. 132.

A. D. 1327. 12 July. contemporaries, except perhaps his valiant son, the romantically heroic Black Prince. But, at this period, Edward was in extreme youth, and the administration of affairs was entirely conducted by Mortimer, the minion of his mother, who does not appear to have possessed abilities either for war or government.

In the army of England, Froissart enumerates eight thousand men at arms, all knights and squires, and thirty thousand men of the commons, half of whom were mounted on small horses or hackneys; the other half he calls sergeants on foot, sent by election from the cities and towns of England, and kept up in the field at the expence of those places from which they were sent. These probably were ballotted for, like the modern militia; or they might perhaps be impressed, as we know that expedient was long used in England for the land service. He likewise gives these sergeants, or foot-soldiers, the name of *coustilliers*; which perhaps may mean armed with hangers or short swords, or *cousteaux*. The fabricators of cutting instruments of steel are still called cutlers, probably a corruption of *coustilliers*, or *cousteaux* makers. Besides all these, there were twenty-four thousand archers on

foot, and a numerous rabble of followers of the army*. In this enumeration, which seems to have excluded the considerable detachments which had been previously stationed at Newcastle and Carlisle, Froissart extends the English army to sixty-two thousand fighting men, more than three times the number which he attributes to the army of the Scots invaders, and six times the number which Barbour assigns to his countrymen on this occasion. A. D. 1327. 12 July.

The English army, or at least the royal head-quarters, halted two days at Topcliff†. Froissart expressly says, on purpose that the King might inspect the different corps or divisions, as they marched past towards the north. On the third day the army set out from that place before day-break, and reached Durham by a forced march of fifty miles‡. Such is the account given by Froissart: But it seems next to impossible for such an army to have accomplished so great a march in one day. It appears more probable, and the supposition by no means contradicts the authorities, that the head-quarters only with a sufficient escort remained these two days at Top- 11 and 12 July. 13 July.

* Frois. I. xvii. † Foed. Angl. IV. 295, 296.

‡ Frois. I. xvii.

A. D 1327. 13 July.

cliff, while the rest of the army marched on by regular divisions. There might thus be four days, the 10th, 11th, 12th, and 13th of July, for the gross of the army to march from York to Durham; and, on the fourth day, the King with his escort might possibly march fifty miles altogether unencumbered with baggage. There is even no necessity for supposing that the whole English army reached Durham on the fourth day. On that day, or the one immediately preceding, the last division of the army might have been inspected at Topcliff by the King; and it may have taken two days, or even three, to rejoin the main body at Durham.

Lord Hailes supposed that the English army marched from York in three battles or divisions *. But, from the circumstantial relation of Froissart, this formal array, or order of battle, seems only to have been put in execution upon leaving Durham, in the hourly hope of falling in with the invading enemy †. His lordship likewise inclined to divide the march of the royal staff, from Topcliff to Durham, into two days; supposing that the King halted at Northallerton, on the night of the

* A. of S. III. 67. † Frois. I. xvii.

13th of July, and might only reach Durham on the 14th of that month*. It is certain that Edward was at Northallerton on the 13th July †; but there is no evidence of his having remained there till next day. A. D. 1327. 13 July.

The English army remained at Durham until the 18th of July; where, probably, the head-quarters only were stationed, while the gross of the army would be encamped on the northern side of the river Wear. On that day, perceiving the smoke of distant flames lighted up by the Scots army in the progress of its destructive ravages, the English army set forwards in quest of the enemy, guiding their march towards the smoke ‡. 18 July.

Instead of a line of march by open columns, which probably the hastily raised troops of those days were unable quickly to extend into line, the English army marched on in formally arrayed order of battle; all being strictly prohibited, on pain of death, to advance beyond the standards. According to Froissart, the infantry was marshalled in three separate battles or divisions; each of which had five hundred men at arms, or heavy armed ca-

* A. of S. III. 67. † Foed. Angl. IV. 296.

‡ Frois. I. xvii.

A. D. 1327. 18 July.

valry, on each wing *. He thus accounts for three thousand only of the eight thousand men at arms, which he had formerly assigned to the English army; so that we cannot ascertain the station of the remaining five thousand.

Lord Hailes alleged that the king in person led the van, or first division of the three battles of the English army, in which the foreign auxiliaries under Lord John de Beaumont were comprised †. But for this arrangement there is no direct warrant in the minute relation of Froissart; who only informs us, as already mentioned, that these auxiliaries always lodged or encamped next the king, to do them honour, and to protect them against the machinations of the English archers ‡. We may, therefore, conjecture that the unaccounted for five thousand men at arms, including the auxiliary troops, may have formed a fourth division, either van or reserve, under the immediate command of, or attendant upon the king of England.

Following the smoke occasioned by the devastations of the Scots, the English army

* Froiss. I. xix.

† A. of S. III. 68.

‡ Frois. I. xviii.

marched the whole of this day in order of battle. Late in the evening they encamped in a wood on the banks of a small river, to rest from the fatigues of their fruitless march, and to await the coming up of their baggage and provisions. During the whole day, the Scots had pillaged and burnt the country in all directions within five leagues of the English army; which, however, was never able even to get within sight of the invaders *. Whether these are to be taken as computed English miles, or real leagues does not certainly appear; though we have formerly had occasion to mention, that the leagues used by Froissart were, probably, English computed miles, and consequently the distance here described may have been seven or eight statute English miles. A. D. 1327. 18 July.

Next morning the English decamped at day-break, and continued their march, as on the preceding day, always in formal order of battle, and always guided by the smoke. But they were never able to approach even within sight of the Scots; on account of the extreme difficulty of the country, full of 19 July.

* Froiss. I. xix.

A. D 1327. 19 July.

woods, marshes, wild moors, and craggy mountains. Towards evening, the whole English army, men, horses, and draught cattle, being entirely worn out with the fatigues of their days march, encamped in a similar situation to that of the preceding night, in a wood on the banks of a small river; while the king took up his quarters in a poor monastry or abbey in the neighbourhood *.

Had the English persisted in this absurd method of following the alert motions of the Scots, Randolph and Douglas might have laid waste the whole realm of England, almost without opposition. They had only to keep at the distance of a march or two from the English army, and to take care to be informed of the formal movements of the enemy. But finding, from the experience of these two days, that the Scots army could not be attained by this mode of procedure; and supposing, from the direction of their devastations, that they might now be on their retreat towards Scotland; it was resolved, in a council of war, to leave the baggage of the English army at its present camp, and to gain the banks of the river Tine by a forced

* Frois. I. xix.

march, on purpose to intercept the Scots army in its return. Pursuant to this resolution, the English army decamped about midnight of the 19th July, and marched the whole of the next day, without observing the regular order of battle so rigidly adhered to during the two preceding days; every one being now allowed or ordered to make the best of his way *. A. D. 1327. 20 July.

The rout of this third day, for it does not merit the name of march, was through still wilder and more difficult ground than had been passed in the day before: over heaths and mountains and rocks, across steep dells, and through scarcely passable bogs and morasses. Pressing onwards without order, each man regardless of the colours to which he belonged, or of his companions, the whole English army was in constant turmoil and confusion. Shouts and cries of *to arms* frequently arose in various directions; and, when numbers of the army hastened to the spot whence the alarm had proceeded, it was discovered to have been occasioned by some of the people having aroused deer or other wild

* Frois. I. xix.

A. D. 1327. 20 July. animals, which they pursued with tumultuous cries, causing those at some distance to suppose that the enemy was in sight *.

It was fortunate for Edward and his army that this tumultuary rout was unknown to their gallant foes; for, had any considerable portion of the Scots forces come up with them, while in this scattered state of disorder, the English army must have been easily and completely discomfited: Or if they had known the situation of the English baggage, which, from every circumstance mentioned by Froissart, seems to have been left entirely unguarded, the Scots might, by a rapid countermarch of their light unencumbered troops, have easily taken possession of the whole, and might have destroyed all that they could not carry off. During the whole of this campaign, both armies seem to have been entirely destitute of intelligence of the motions and situation of each other, and not to have employed any proper methods for procuring that so necessary circumstance in all military operations. The English trusted entirely to their decided superiority in numbers, the Scots

* Frois. I. xix.

to their alertness and vigilance against surprise. A. D. 1327. 20 July.

During the whole of this day, according to Froissart, every person in the English army rode with his beaver down, his shield hanging from his neck, and his sword drawn. At the close of day, part of the cavalry reached the river Tine*, at Haidon above Hexham †, and crossed the river with great difficulty. Here, fatigued and without food, except one loaf which each man had been ordered to carry behind him, and which was moistened by the sweat of his horse, and having neither grass nor corn for their horses, they had to rest on the bare ground holding their horses by the bridles, and passed a most comfortless night ‡. Froissart says that this days march was fully twenty-eight *English* leagues, here limiting the particular measure of the distance which he expresses ||. If these are to be considered as computed English miles, the whole distance may be estimated at nearly forty measured miles of the present day; a prodigious days march in such a country,

* Frois. I. xix. † Scal. Chron. ap. Leland. II. 551.

‡ Froiss. I. xix. || Id. ib.

A. D. 1327. [20 July. and almost entirely without food for man or horse. Many banners with all their troopers were left behind, and many of the sumpter horses stuck fast in bogs, and never rejoined the army.

The original idea of this march seems to have been well conceived,—that, by getting between the Scots invaders and their own borders on the strong position of the Tine, they might be intercepted on their retreat, and compelled to fight at a disadvantage. But the particulars of the plan, and its execution, appear to have been exceedingly ill arranged and sadly misconducted. Instead of this tumultuary march and the abandoment of the tents and baggage, from which the English army suffered afterwards such intolerable hardships, had a strong detachment of the best troops taken post on the Tine, to intercept the Scots, while the main body remained to escort the baggage and provisions, the English might have formed a permanent camp in a central situation on the Tine, with strong detachments on either wing to keep up a communication for supplies from Newcastle and Carlisle, and for procuring intelligence of the Scots in case they should attempt to slip past the main body on either hand. Such was the superiority in numbers

of the English army, that it might well have spared a third strong detachment of light troops to seek out the Scots, to hang upon and harrass them in their progress of devastation, and to send early intelligence of all their motions to the English head quarters. The day of leaving Durham, the 18th July, was the proper period for the commencement of such a plan of operations; and nothing surely could be more preposterous and inadequate than the slow formal march of a heavy army in order of battle, in a difficult country, in search of an alert body of light armed cavalry. During the whole of this short but disastrous campaign, the English army was conducted without the smallest skill, by continually varying plans, in which timid caution and rash precipitancy were alternately combined. But, in the discordant councils of the young King of England, then chiefly influenced by Mortimer, the minion of the Queen Mother, and against whom a faction was already formed, which soon involved both in disgrace and ruin, no unanimity or concert could be expected. Even the presence of the foreign auxiliaries, and the favour shewn them, certainly contributed to occasion heart burnings among the proud barons of England, many of whom appear to have cherished sentiments of

A. D. 1327. 20 July.

A. D. 1327. 21 July. hatred and revenge against the Hainaulters from attachment to the recently overwhelmed faction of the Despencers.

On the day after the disorderly march of the English cavalry to Haidon, being Wednesday the 21st of July, the infantry and others who had been left behind reached the Tine: But, owing to heavy rains which had fallen during the preceding night, the river was so much swelled as to be quite unfordable*. In this divided situation of the English army, unable to afford reciprocal assistance, both men and horses exhausted with bad weather and fatigue, and altogether unprovided with shelter, provisions, forage, or fuel, a determined and well conducted attack by the Scots army might have proved highly detrimental to the king and power of England. A battle, in the present crisis, might have been so decisively in favour of the Scots, as even to have realized the supposed views of conquest in undertaking this war. But that the King of Scots had no such intentions, is obvious from the nature and moderate number of the troops he had employed on this occasion.

* Froiss. I. xix.

In the course of this whole campaign, intelligence on both sides seems to have been most exceedingly defective. Neither army, during its whole continuance, appears to have known any thing whatever respecting the motions of the other. The vast and powerful army of England, undirected by military skill, perhaps intentionally misguided by factious and discordant councils, acted blindly on a mere chance of falling in with their enemies. The Scots, on the other hand, seem to have trusted their safety to the difficulties of the country, better fitted for their light armed troops and unencumbered alert motions than for the heavily appointed army which was opposed to them. They reposed implicit confidence in their own watchful vigilance, and their aptitude for celerity in moving from fastness to fastness, without ever meaning to form any plan of desisive hostility, from which they were probably debarred by their instructions. A. D. 1327. 21 July.

The rain, by which the waters of the Tine were swollen, continued all the following day and during the remainder of the week. The English army, still in a divided state, was accordingly reduced to extreme distress, from total want of any shelter for themselves or 22 July.

A. D. 1327 22 July.

horses, and by an excessive scarcity, amounting to almost total want of provisions and forage*. To render their situation as comfortable as possible, they cut down boughs of trees, by means of their swords and battle-axes, on purpose to make pickets or fastenings for their horses, and to construct a kind of huts to shelter themselves from the severity of the weather. The word here used by Froissart, and translated battle-axes, is *bandeliers*, which even Sauvage was unable to explain. It may be some antiquated expression, corrupted perhaps in transcribing, intended to imply battle-axes or halberts; at all events, it appears to mean some cutting implement of war, not well adapted for the use to which it was applied from necessity.

The English army is said to have learned, from some of the country people, that its present miserable quarters were fourteen leagues from Newcastle and eleven from Carlisle. Messengers were accordingly dispatched to these places for assistance; and such servants and sumpter horses as had been able to get forward to the army were sent to procure provisions†. Haidon is about twenty-five Eng-

* Froiss. I. xix. † Id. ib.

lish miles from Newcastle and thirty from Carlisle: Hence the proportional distances assigned by Froissart are altogether erroneous, and cannot serve for ascertaining the measure of the leagues employed by that author. By the Newcastle distance, the league is reduced to a mile and six furlongs; by that from Carlisle, to two miles and six furlongs; and by the entire assigned distance between Newcastle and Carlisle, of twenty-five leagues, each would be two miles and a fifth. A. D. 1327. 22 July.

On Friday, the third day after reaching the Tine, the servants or sumners brought such provisions to the army as they could procure; and the inhabitants of Newcastle and Carlisle brought ill baked bread and bad wine for sale; but in such insufficient quantities, that the troops were very scantily supplied, and at very exhorbitant rates, during all the time that it remained in its present situation. Before this supply, besides extreme want of provisions, the army had no provender for the horses except such grass as could be found in the neighbourhood, and the leaves and small branches of trees *. 23 July.

* Froiss. I. xix.

A. D. 1327. 23 July. The English army is said to have remained eight days at Haidon, from the night of the 20th July, when part of the army crossed the Tine, to the 28th, when it began again to move towards the south. During
24—27 July. the four following days, after the scanty supply of provisions, Saturday, Sunday, Monday, and Tuesday, the 24th, 25th, 26th, and 27th of July, the English army continued to remain in the same ill provided state, and in an uncomfortable and dangerous situation of division, as the river remained impassable. Froissart says, that they were all this time in great distress, owing to want of shelter, and the continuance of the rain; by which the saddles, pannels, and sirsingles of the horses were entirely spoiled, and most of the horses backs became galled and sore: That they were unable, from want of materials, to shoe such of the horses as needed that necessary operation: That the men had, in general, no means of sheltering themselves from the inclemency of the weather, except in sorry huts composed of green boughs, and by wearing their armour: And that they had no fewel, except green wood, which would not burn, owing to the continual rains*.

* Frois. I. xix.

During all this time, no intelligence whatever was received respecting the motions of the Scots army, which the English leaders always supposed must have been on its return to Scotland, and believed that it must necessarily pass in the neighbourhood of the present English position. The English troops began to murmur at the miseries to which they were exposed; and even proceeded to charge several of their leaders as having traiterously led the King and army into this remote and inhospitable wilderness, on purpose to betray them to the enemy, or that they might here perish through famine, fatigue, and the inclemency of the weather *. A. D. 1327. 24–27 July.

Partly influenced by these discontents, and finding the continuance of the army in its present quarters both exceeding inconvenient and altogether ineffectual; the plan of operations was again changed, and a resolution was taken to repass the river, and to measure back their steps towards the south in quest of the Scots. In pursuance of this new scheme, a proclamation was issued through the army, promising a specific reward to any person who should first communicate such intelligence 27 July.

* Frois. I. xix.

A. D. 1327. July 27.

of the Scots, as might enable the English army to come up with them *on dry ground.* Froissart says that the reward was to be a hundred pounds a year of land in heritage, and the honour of knighthood.*. But the actual grant in reward for this service to Tho. de Rokesby, who found the Scots army, was only for life, and it does not appear that he was knighted †.

In consequence of this proclamation, fifteen or sixteen English knights and squires passed the Tine, at the imminent peril of their lives, and dispersed in different directions over the mountains, in quest of the Scots army ‡.

About this time, it would appear that the Scots army had so completely eluded the vigilance of the immensely superior army of England, that, while the English vainly waited for their arrival on the Tine, either the whole Scots army, or a detachment under Archibald Douglas, penetrated far south into the bishopric of Durham, where they acquired great booty; and, encountering a band of English at Darlington, slew many of them §.

* Frois. I. xix. Scal. Chron. ap. Lel. Col. II. 551.

† Foed. Angl. IV. 312. ‡ Frois. I. xix.

§ Scala Chron. ap. Lel. II. 551.

This feat was probably performed by a detachment from their strong camp on the river Wear, where they were found posted soon after the present period, in consequence of the intelligence brought by Rokesby. Compared with the regular intelligence in the modern art of war, it seems hardly possible to conceive that a body of from ten to twenty thousand Scots should thus remain in the English territory during eleven days, and their actual situation entirely unknown, although always within forty or fifty miles of the numerous royal army of England, often not above a quarter of that distance.

A. D. 1327. 27 July.

The day after the departure of the scouts, the heavy armed cavalry, which alone seems to have been on the north side of the Tine, marched to some distance along the banks of that river, and crossed it with great danger and difficulty, as it was still much swollen by the rain. In this passage, a considerable number of the English soldiers was drowned, and many escaped with great difficulty. The whole army was now reassembled, and took up its quarters on the south side of the Tine, near a small village which the Scots had burned; but in the neighbourhood of which

28 July

A. D. 1327. 28 July. the English found fields and meadows that supplied them very opportunely with forage for their horses *.

Lord Hailes supposes that the cavalry on this occasion went seven miles up the river from Haidon, and that they crossed the Tine at Beltingham, quoting Froissart as saying seven leagues †. In the edition of Froissart here followed, there is no mention of distance or direction; but merely "that they marched a long way, considering the condition of the horses, so as to pass the river ‡."

29 July. The English army resumed its march next morning, over a mountainous country, and came about noon to some villages that had been burnt by the Scots, where they found fields of corn and grass for supplying their horses, which induced them to encamp in that place ‖.

30 July. Next day, the English marched again towards the south, but got no intelligence whatever of the enemy §. While prosecuting
31 July. the march on the following day, an esquire rode up to the King about three o'clock, and communicated intelligence that the Scots ar-

* Frois. I. xix. † A. of S. III. 70.

‡ Frois. I. xix. ‖ Id. ib. § Id. ib.

my was encamped on a hill only a few miles distant. Froissart says the distance was three leagues, which Lord Hailes interpreted as nine English miles; but it may be reasonably presumed that Froissart meant English computed miles, or short Flemish leagues, and consequently that the specified distance might be about five modern statute miles *. Froissart reports the speech of this esquire whom he does not name, but who must have been Thomas de Rokesby, to whom the promised reward in land was actually granted. "Sire, I bring you intelligence of the Scots, who are encamped on a mountain within three leagues of this place, and have awaited you there for eight days, equally ignorant of the motions of your army as you have been respecting them. All this I tell you assuredly: For I approached so near them that I was made prisoner, and led to their camp before their commanders. I there informed them respecting your highness, and how you were in quest of them on purpose to fight. When I told them that you had promised a hundred pounds a year in land to him who should bring you the first

A. D. 1327. 31 July.

* Frois. I: xix. A. of S. III. 71.

A. D. 1327. 31 July. intelligence of their situation, the Scots commanders gave me my liberty, exacting my promise that I should not rest until I had brought this information to your highness; and ordered me to say in their name, that they are equally desirous of fighting as you are: And you may depend on finding them in the place which I have mentioned."

On receiving this intelligence the English army halted, and encamped for the night in a place where there were fields of grass and growing corns for pasturing their horses. This says Froissart was near an abbey of Cistertian monks, which had been named Blanchland ever since the days of King Arthur. This is a quaint expression for denoting that it had been so named from time immemorial; and the place still retains the same appellation*. Blanchland is situated on the Derwent, a river of the bishopric of Durham, which falls into the Tine a little above Newcastle, after watering a fertile vale of considerable extent. In this camp, where they passed the night of the 31st July, the English army is said to have confessed, in preparation for the battle expected on the following day;

* Frois. I. xix. A. of S. III. 71.

great numbers of masses were likewise ordered to be celebrated in the camp, that all who were inclined to devotion might partake of the eucharist*. A. D. 1327.

Next morning after having breakfasted, the English army was drawn out in order of battle, and marched in regular array over mountains and across vallies, without breaking the line of battle, following Rokesby as their guide. About mid-day they came in sight of the Scots army, which was posted on a hill, having the river Wear at its foot. Immediately on perceiving the approach of the English, the Scots army drew up on foot, in three well ordered bodies or divisions, on the slope of the hill; below which, and between them and the English, the river Wear was interposed, the rapid stream of which was interrupted by rugged rocks and large stones, and could not be passed without great difficulty and danger. Had the English been able even to ford the river, they could not have found sufficient space between it and the mountain, on which to draw up their army in order of battle. The two principal 1 Aug.

* Frois. I. xix.

A. D. 1327. 1 Aug.

divisions of the Scots army were posted on two shoulders, or projecting angles of the mountain, and on the summit of rocks where it was impossible to scramble up to attack them, and whence they might have overwhelmed the assailants with stones, the moment they should have crossed the river, and when retreat would have been almost impossible *.

Having examined the position of the Scots, the English commanders drew up the whole of their army on foot, using the precaution of ordering the cavalry, who were dismounted on this occasion, to lay aside their spurs. When the whole army was properly arrayed, the young King on horseback, attended by several of his chief lords, rode in front of all the divisions to inspect and encourage the troops. Addressing himself graciously to the leaders of the several divisions, he urged them to use their utmost efforts against the enemy in the approaching battle; and in his progress he dubbed a considerable number of new knights. The army advanced in good order towards the river which divided them from the Scots, and even approached so near as to

* Frois. I. xix.

be able to distinguish some of the Scots armorial cognizances. Finding that the Scots army neither retreated from their strong ground on the opposite side of the river, nor advanced to meet them, the English army halted; and a few horsemen were dispatched in front to skirmish with the enemy, and to examine more narrowly into the practicability of attempting to force the passage of the river. Considering that measure as attended with too much danger, heralds were sent to the Scots leaders to offer battle either then or on the morrow; leaving an alternative to the Scots, either to pass the river and fight on the plain, in which case the English would retire and leave them sufficient space to draw up their army, or to withdraw to a sufficient distance from their present position, to leave room for the English army to draw up on the other side of the river. The Scots commanders judiciously refused acceding to either proposal. "The King and barons of England, said they, know that we are in their kingdom, which we have burned and ravaged every where on our march. If displeased at our conduct, the King may come and chastise A. D. 1327. 1 Aug.

A. D. 1327. 1 Aug.

us; for we are resolved to remain in our present position so long as we please *."

In Barbours account of the transactions of this day, he says that the English army marched in seven battles or divisions along the southern range of hills which bordered the valley of the Wear †; and, seeing the advantageous position of the Scots army on the opposite hills, the English dispatched a body of a thousand archers to endeavour to draw the Scots from their heights. That Douglas decoyed the archers to advance into an ambush prepared for the purpose, which broke in upon them under the command of Archibald Douglas, the earl of Mar, and Sir William Erskine, and drove them back to their army with the loss of three hundred men ‡. That the English army then encamped on the south side of the river; while the Scots established their camp on the northern heights, resting on their arms and keeping careful watch for fear of being surprised ||. But, from the whole tenor of the journal of this campaign in Froissart, it seems more reasonable to suppose that the Scots were upon the

* Frois. I. xix. † Barb. XIX. 287.
‡ Barb. XIX. 331—371. || Id. XIX. 381—389.

southern bank of the Wear, at a place where there was no plain between the foot of the hill and the river; and that the English army was drawn up in plain ground on the northern side of that river. A. D. 1327. 1 Aug.

In the course of this day, says Barbour, two new things were seen by the Scots: Crested helmets, which they much admired, and cannon, which they had never heard before:

"Twa noweltyis that day thai saw,
That forouth * in Scotland had bene nane.
Timmeris † for helmys was the tane;
That thaim thoucht than of gret bewté,
And alsua wondre for to sé.
The tothyr crakys war of wer ‡,
That thai before herd neuir er ‖." *

Though destitute of every accommodation, the English army lay upon their arms all of this night, on the bare rocky ground, having no means even of tying their horses, which they had to hold by the bridles; they were besides destitute of litter or forage for their

* Hitherto. † Crests. ‡ Cannon, war-cracks.
‖ Formerly.

* Barb. XIX. 394—400.

A. D. 1327. 1 Aug.

horses, and had no fewel to make fires for their own use. On the contrary, the Scots army retired to its camp or huts, leaving proper guards on the ground where they had drawn up during the day. They likewise lighted up a number of great fires, and kept sounding their horns all night, "as if all the great devils in hell had been there *." These fires, and this continual noise of horns, were probably employed as signals for calling in all stragglers and detached parties of pillagers.

Froissart particularises this night as the *nuict* Saint Pierre, at the commencement of August of the year 1327. Lord Hailes hesitated whether this might refer to the night of the festival of ***S. Petri ad vinculam***, 1st August, or to the eve, being the 31st July; and seemed rather to lean towards the latter supposition, because Froissart says that the English lords heard mass next morning. He adds, that in this case the English army must have left the Tine a day sooner than has been assumed in the foregoing journal, and must have reached the vale of the Wear on the 31st July instead of the 1st August †. But Froissart had previously and expressly mentioned the cele-

* Frois. I. xix. † A. of S. III. 72.

bration of masses, and the dispensation of the eucharist, at the former encampment of Blanchland on the preceding evening: and the repetition of them at the Wear may either have been to accommodate such as had been unable to partake on the former occasion, or may be an inadvertant redundancy. The specification of the nuict St Pierre, if it necessarily signifies the eve or vigil, may have been an erroneous marginal note in one copy, and transferred into the text by a second mistake; a common error in the transcription of manuscripts. Besides, the rambling colloquially collected relations of Froissart are full of repetitions and mistakes. Upon the whole, the dates of this journal, as here adopted from an express dissertation on the subject by Lord Hailes, appear perfectly satisfactory, and they agree with such as are thoroughly ascertainable from the writs in the Foedera, to be afterwards noticed. A. D. 1327. 1 Aug.

Next morning, the English army drew up in order of battle, as on the preceding day, and the Scots occupied the same advantageous and unassailable position as before. Both armies remained looking at each other until after mid-day; neither of them venturing to advance, as such a movement could not be ex- 2 Aug.

A. D. 1327. 2 Aug. ecuted by either without extreme danger. Several of the English passed the river, some a-foot and some on horseback, to skirmish with the Scots, some of whom left the ranks to encounter the English skirmishers; so that a small number were killd, wounded, or made prisoners on both sides. Finding that nothing final or material was likely to be accomplished, orders were issued in the afternoon for the English army to retire to its quarters. The word here used by Froissart is *loges*, which may be supposed to mean huts, which might have been constructed during the morning; for the English army is expressly said to have passed the preceding night in order of battle under arms, and on the bare ground.

3 Aug. Matters continued in this manner during three days, the Scots always keeping their position on the mountain, and the English daily offering battle on the other side of the river. Frequent skirmishes took place, in which a good many of both armies were killed or made prisoners. Every night the Scots continued to light up great fires, and to make a prodigious noise of horns and continual shouting. Not being able to force the Scots to battle, but learning from prisoners that their army had no bread, wine,

or salt, nor any provisions except cattle, of which they had abundance, which they had plundered from the surrounding country, the English leaders conceived that they might be able to blockade the Scots in their present situation, till famine should compel them to surrender at discretion, or to quit their impregnable position and fight at a disadvantage. "But the Scots cared little for those other privations, providing they possessed a plentiful supply of meat, and a little meal for making cakes as formerly mentioned." On the fourth morning, the Scots were discovered to have quitted their position on the mountain, from whence they had secretly decamped about midnight *.

A. D. 1327. 3 Aug.

Aug. 4.

Supposing the English to have come in sight of the Scots on the eve of St Peter, or 31 July, the fourth morning *after* would assign the 4th August, as here assumed from the authoritative judgment of Lord Hailes, for the morning on which their departure was perceived. Or assigning the 1st August for the arrival of the English on the Wear, the fourth morning *inclusive* leads to the same conclusion. Though these minute

* Frois. I. xix.

A. D. 1327. 4 Aug. attentions to dates and circumstances may not be of high importance, they are yet extremely curious; as, in this instance almost alone, an important ancient event in our national history, of considerable endurance, can be journalized with tolerable accuracy, as here accomplished through the critical skill and learned investigations of the late Lord Hailes.

According to Barbour, the Scots remained only two nights in their first camp on the Wear, after the arrival of the English on the opposite side. He says that, during the first night after their arrival, the English detached a body of a thousand men at arms, which took post in ambush in the rear of the Scots, on purpose to seize any favourable opportunity of taking possession of the advantageous ground on which the Scots camp was situated, in the event of the Scots army marching down to oppose the English in making demonstrations to force the passage of the river. That, accordingly, the English army was drawn up next morning early, and marched towards the river as if to attempt the passage, and the Scots army likewise began to descend the hill on their side to defend the ford. But, being informed by their scouts of the English force which had got into their

rear, they again took possession of their heights, and both armies remained quietly observing each other during the whole of that day; and that the Scots secretly shifted their quarters during the ensuing night to about two miles distance, encamping in a large wooded park surrounded by a wall, and equally near the river with their first position. And that the Scots, to deceive the English, left all their fires burning in their old encampment*. A. D. 1327. 4 Aug.

On perceiving the removal of the Scots, scouts were immediately dispatched in all directions to endeavour to ascertain their motions. They were soon discovered to have taken up a new position at no great distance from their old camp, in a great wood upon a mountain on the same river, and in a place of still more difficult access than the one which they had quitted, having chosen this new and stronger post that their motions might be concealed from observation under cover of the wood. The English army followed on their own side of the river, and took post on a hill directly facing the position of the Scots, having the river Wear still interposed between the two armies†. This new encampment of

* Barb. XIX. 411.—502. † Frois. I. xix.

A. D. 1327. 4 Aug. the English was near a place called Stanhope park*. And probably the Scots camp, in the wood surrounded by a wall, was actually in that park.

Having established their new quarters, the English army was drawn out in order of battle, and made demonstrations for crossing the river to attack the Scots; who, on the other side, arranged their army on the scarp of their hill, but very judiciously declined coming down into the low ground; and so great was the advantage of the Scots position for defence, that it was deemed impracticable for the English army to have crossed to the attack, without incurring the almost certain risk of being all killed or made prisoners †.

Misled by the information which he had received, or rather by carelessly employing that information, Froissart says that the two hostile armies continued facing each other in this new position for the space of eighteen days, during which period both armies suffered great hardships and privations; and during which the English sent frequent messages by their heralds, daring the Scots to battle, and requiring or offering space on either side

* A. of S. III. 73. † Froiss. I. xix.

of the river for drawing up the armies in order of battle, which was uniformly refused. These eighteen days would bring us down to the 21st or 22d of August, for the retreat of the Scots; whereas we are perfectly assured from the writs of Edward for assembling a new parliament, dated 7th August, from Stanhope-park, that the Scots had then retreated *. Lord Hailes very judiciously accounted for this error of Froissart, by supposing that he had been informed that the English army had been eighteen days engaged in the mountains against the Scots, and that he afterwards erroneously applied this space of time to the opposing positions of the armies at Stanhope-park. The space of eighteen days exactly applies to the period between the 19th July, when the English abandoned their baggage to make a forced march to the Tine, and the 6th August, when the Scots were discovered to have retreated from their impregnable position on the Wear near Stanhope †.

A. D. 1327. 4 August.

Barbour too mistakes in saying that the Scots remained eight days in their new po-

* Foed. Angl. IV. 301. † A. of S. III. 75.

A. D. 1327. 4 August. sition, during which many little skirmishes and combats took place daily without much advantage gained or lost on either side *.

On the night between the 4th and 5th of August, the first of this new position, Douglas, whom Froissart always erroneously names William, passed the river towards midnight, at a considerable distance from both armies to avoid observation, with a chosen band of cavalry; which Froissart reports to have amounted to about two hundred, while Barbour says five hundred men. By an unfrequented path, of which he had received accurate intelligence, he gained the rear of the English camp undiscovered. On approaching the outposts, he assumed the guise of an English officer of rank going the rounds, calling out as he advanced, "Ha! St. George, no ward!" By this stratagem he penetrated into the English camp without causing alarm, and even reached the royal quarters. He and his men now commenced a furious assault on the kings tent, crying out, "a Douglas! a Douglas! English thieves, ye shall all die." For some time this valiant party overthrew all that opposed them, and are said to have slain above three

* Barbour, xix. 516.

hundred of the English. The royal domestics made a gallant resistance to protect their young monarch, in which the kings chaplain and several others were slain, and the king himself escaped with difficulty. Two or three of the cords of the royal tent were cut by the Scots in this encounter. Disappointed in his expected prize of taking or slaying the young king of England, and finding the English camp alarmed and the troops gathering around him, Douglas gave the appointed signal to his people by winding his horn, and drawing his men together, charged directly through the English camp, and made good his retreat across the river to the camp of his own army, having met with very inconsiderable loss in this extremely daring and well conducted enterprize *.

A. D. 1327. 4 August.

After this the English kept better watch, and appointed a strong patrole, with guards and scouts all round their camp, to give warning in case of any fresh assault. Most of the principal officers of the English army even slept the ensuing night in their armour †.

The day after this night attack on the English by Douglas, a Scots knight was made

5 Aug.

* Frois. I. xix. Barbour. xix. 581.—616. † Frois. I. xix.

A. D 1327. 5 August. prisoner and brought into the English camp. Being very strictly interrogated, he at length acknowledged that orders had been issued for the whole Scots army to be in readiness to march in the evening, and to follow the banner of Douglas; but he declared that he had no knowledge whatever of the intended measures of the Scots leaders respecting the object of these orders. Concluding from this information, that the Scots had determined upon making another night attack on their camp in full force, and that they might probably assail them on both sides at once, the English army was drawn up in the evening in order of battle, in three divisions, all on foot, and rested on their arms all the night, keeping strict watch, and lighting up numerous fires, that they might see their enemies if attacked; and the servants of the army were ordered to remain all night at the huts or tents to take care of the horses *.

Barbour reports that, during the whole of the day preceding the retreat of the Scots, the English were employed removing their dead in carts from the camp to be buried in consecrated ground; and that from the time occupied in this employment, it was obvious

* Frois. I. xix.

they had lost great numbers in the night at- A. D. 1327.
tack which Douglas had made on this camp *. 5 August.

According to Barbour, as provisions began to grow scanty in the Scots camp, it was debated in a council of war whether to fight or retreat, and the latter measure was adopted by the advice of Douglas. The Scots accordingly prepared secretly for their retreat, and
in the evening lighted numerous fires through- 6 August.
out their camp, and kept up a great noise of horns and shouting, as if feasting and carousing. But soon after night fall, they drew off from their encampment, leaving all their fires burning *.

In the course of their retreat, theScots had to pass through an extensive moss or bog, which was two miles over. Here they dismounted and led their horses; and, being aware of this impediment, they had prepared a number of hurdles, made of wands, or boughs of trees wattled together, which they employed as bridges over the water runs, and softer places of the bog; all of which they carefully removed to prevent the pursuit of the English. In this manner they got all their army over in safety, with the loss of very little of their baggage †.

* Barb. Br. xix. 720.—726.

† Barb. xix. 635—716. † Barb. xix. 738—751.

A. D. 1327. 6 August. Early in the morning, two Scots trumpeters were brought prisoners to the English camp by some of the patroles. On examination, they reported that the Scots had decamped before midnight, and were already four or five leagues or miles advanced on their march to Scotland. Suspecting some stratagem, the English leaders were very doubtful of the truth of this unwelcome intelligence, and continued in their order of battle under arms till day light fully appeared. Then, seeing nothing of the Scots army in its late position, some scouts were sent across the river, who returned with certain information that the camp was entirely evacuated. Permission was then given to the English army to disperse to its quarters for rest and refreshment *.

On examining the camp of the Scots, above five hundred slaughtered beeves were found ready for use. More than three hundred cauldrons, or kettles, made of the skins with the hair on, were found suspended upon stakes, and full of meat and water ready for boiling. Above a thousand spit racks, charged with meat for roasting, and above ten thousand pairs of old brogues, or rough rullions, or shoes made of raw hides in the hair, were found in the camp †.

* Frois. I. xix. † Id. Ibid.

In the Scots camp, five English prisoners were found entirely naked and tied to trees, some of whom had their *legs all broken*. These last words are a literal translation of the text of Froissart, *les jambes toutes rompues*, which it is rather difficult to understand and interpret aright. If the Scots had barbarously broken the legs of the English prisoners, to prevent their escape, or from wanton cruelty, there was assuredly no need of tying them to trees in that disabled condition; besides, some of them only had their legs all broken. Even if the expression of Froissart were necessarily to be considered as implying broken legs, in the modern acceptation of the words, we are not obliged to suppose that this had been wantonly done by the Scots: they might have met with this misfortune during some of the skirmishes which are said to have taken place daily; and they too might have been tied to prevent them from endeavouring to untie their undisabled countrymen. But the language of Froissart may be more rationally supposed to imply, that their legs were much chaffed and hurt by the ligatures, perhaps in struggleing to disengage themselves. A broken skin is still used for expressing a hurt where the A. D. 1327. 6 Aug.

A. D. 1327. 6 Aug.

skin only is ruffled; and a broken head by no means requires a fracture of the skull. In an old song, in which a highlander enumerates the hardships he endured from English innovations, one of his complaints is that, from wearing breaches, *aw hims legs be brokit;* in plain English my legs are all broken, a literal translation of the presise words of Froissart. In farther absolute confirmation of this interpretation of the story, Froissart immediately adds, that these poor prisoners were untied and allowed to go away; which last act could not certainly have been performed by them if their legs had been actually broken *.

Considering the condition of the English army, both men and horses being worn out by the fatigues and privations of the last eighteen days, during which they had not been able to enjoy necessary rest or protection from the weather, and had been reduced to extreme straits for provisions and provender; and being assured, that any attempt to pursue the Scots would be utterly unavailing, it was resolved to lay aside all thought of any farther prosecution of the original design or plan of the campaign, to intercept the Scots invaders and fight them in England †.

* Froiss. I. xix.

† Id. ibid.

Accordingly, the English army broke up its camp on the day after the retreat of the Scots, and began its march towards Durham. Coming to some fields which supplied abundant forage for their horses, which was of great importance in their weak and famished condition, the army here halted for the night *. Lord Hailes supposes this encampment of the 7th August to have been at Stanhope; because the writs for calling a parliament together were issued on that day and are dated at Stanhope†. But we have already seen, that the second position of the English over against the Scots, was at or near Stanhope Park. At any rate, after the Scots had moved off, it was by no means indispensably necessary that the royal head quarters should remain with the gross of the army; though, from Froissart, Edward seems to have continued with the army until its return to York. Besides the order for the writs might have been issued at Stanhope on the morning of the 7th, before the army or the head quarters moved off the ground.

A. D. 1327. 7 Aug.

In the writs for assembling this parliament, Edward gives a singular gloss to the events

* Froiss. I. xix.

† A. of S. 68. III. 75.—Foed. Angl. IV. 301.

A. D. 1327. 7 Aug. which had just occurred, unworthy of the subsequent character of his reign. After narrating that the Scots had treacherously broken the truce which they had concluded with his father, and had contemptuously refused to treat of a final peace with himself, they had invaded England with a numerous army, committing innumerable murders, depredations, burnings and other evils. That he had marched against them with a large army, and had surrounded them as much as possible at Stanhope Park; whence, *like conquered persons*, they had escaped in the night, and several of them had been pursued and slain. But as he had learned that they intended to return, he commanded his parliament to assemble to consult for the future defence of the kingdom*.

8 Aug. Next day, the army broke up early and made a longer march, so as to reach a large abbey within two miles or leagues of Durham; where they found abundance of grass, corn, and pulse to serve as forage for their horses. The king took up his quarters in the abbey, and the army encamped in the fields around. 9 Aug. The whole of the following day the

* Foed. Angl. iv. 301.

army remained at this camp, being much in need of rest and refreshment*. A. D. 1327.

On the next day, the king and his lords visited the Cathedral of Durham, and the king did homage to the church bishopric and burgesses of that place, which he had not before performed†. Such are the precise words of Froissart, which perhaps ought to be interpreted directly the reverse, as it is more probable that the bishop, chapter, and corporation of Durham should do homage to their sovereign, than he to them. 10 Aug.

In Durham, the English joyfully recovered their baggage, which had been abandoned in a wood at midnight, on the 19th July, as formerly mentioned, when they commenced their forced march for the Tine, in hopes of intercepting the Scots. This baggage had been found by the citizens of Durham, and by them conveyed to their city, and carefully disposed in empty barns, each cart arranged under its own pennon, that all might easily be known. Froissart assigns this recovery of the baggage as having taken place thirty-two days after its abandonment‡. This would bring us down to the 20th of August for its reco-

* Froiss. 1. xix. † Froiss. 1. xix. ‡ Ib. ib.

A. D. 1327. 10 Aug. very, or must throw us back to the 9th July, for the time of commencing the forced march. But we have already seen, from authentic instruments in the Foedera Angliae, that the chronicler had committed a very material blunder with respect to times and dates, in his employment of the otherwise authentic information which he had received of the occurrences of this campaign. The interval between the abandonment and recovery of the baggage was only twenty-two days, as the dates of the various occurrences have been accurately settled in the judicious disquisitions of the learned annalist of Scotland, already adverted to as the sure guide of our steps in this chapter.

11—12 August. The army halted during two days at Durham*. The expressions of Froissart on this occasion seem rather inaccurate, as no direct mention is made of the march of the army from the camp which it occupied on the evening of the 9th August, at the abbey two miles or leagues from Durham, only that the king and lords went to Durham on the 10th; yet the army is said to have rested two days at Durham, being quartered or encamped all around, because the city could not contain

* Froiss. 1. xix.

so great a multitude. This may be easily explained; as, after the departure of the Scots invaders, the close array of the English army was no longer necessary, and the cantonments of the troops may have so extended as to include both Durham and the abbey, two miles or leagues distant. The army therefore halted two *other* days at this place, or three days in all; and the horses were here re-shod.

A. D. 1327. 11—12 August.

After resting at Durham, the English army began its march southwards, and reached York at the end of the third day; at least we are certain that the king of England was at York on the 15th August; as an instrument occurs which was executed by him on that day *.

13, 14, 15 August.

At York the king rejoined his mother, who received him with great demonstrations of joy and affection, after the fatigues, dangers, and disgraces of this his maiden campaign. He here returned thanks to the earls, barons, and knights who had accompanied him, for their councils and services during their northern fruitless expedition, and dismissed the army. John de Beaumont and his companions were detained for some time, and superbly feasted

* Foed. iv. 302.

A. D. 1327. 20 Aug. by the queen and her ladies. An estimate was made of the losses which these foreigners had sustained, in consequence of the excessive injury done to their horses, from the hardships they had undergone, and of their other losses and expences during the campaign. John de Beaumont took upon himself the settlement of all these particular debts, and the king of England engaged to repay him at a future period; being then utterly unable to command at once a sufficient sum of money to discharge the subsidy, losses, and expences, which were due to the foreign auxiliaries, his finances having been entirely exhausted by the expences of the campaign. The foreigners were supplied with sufficient funds to defray their immediate expences on their return home; and were afterwards fully paid all their dues within the year *.

On this occasion Edward granted warrant to his treasurer and chamberlain to pay John de Hainault, lord of Beaumont, £4000, equal to £60,000 of modern money, due to him and his followers for wages and for the replacement of their horses. And directs, if there should not be a sufficiency of money in the treasury,

* Froiss. l. xix.

to pawn the royal jewels with the merchants of London, for as much as could be procured or might be wanting. A pension of 1000 marks, equal to £10,000 a year, was granted to the lord of Beaumont, 28th January 1328. And, 28th June 1328, a warrant for a farther sum of £7000, equal to £105,000 of modern money, was granted to the same person in discharge of his subsidy *. Valuing the annuity at five years purchase, the whole cost of the foreign mercenaries in this disastrous campaign, exceeded £320,000 of our modern money.

A. D. 1327. 20 Aug.

All these arrangements being satisfactorily made, the foreigners resigned their broken-down horses to the officers of the king of England, and bought small hacks for carrying themselves homewards at their ease. Their arms and accoutrements, with all their heavy baggage, were dispatched by sea, under the charge of their attendants, in two ships, furnished by Edward, and arrived safe at Sluis in Flanders. John de Beaumont and his companions then took leave of the king and queen and the English lords, from whom they received every demonstration of honourable civility, and travelled by land to Dover,

* Foed. Angl. IV. 303. 335. 357.

A. D. 17. 20 Aug. under the escort of twelve knights and two hundred men at arms, to defend them from the machinations of the archers, as they had to pass through the bishopric of Lincoln. From Dover they embarked for Wisant, whence they performed a pilgrimage to the shrine of our lady of Boulogne, and afterwards separated each to his own home.*

Having thus minutely followed out this singularly curious narrative, we now return to the Scots army, which had secretly quitted its encampment on the Wear near Stanhope-park, on the night of the 5th August, and had safely passed over an extensive bog or morass on its retreat to Scotland. The Scots pursued their march to their own country with all expedition, and were met by another Scots army of about ten thousand men, which the king of Scotland had sent to their assistance, under the earls of March and Angus, with an abundant supply of provisions to relieve all their wants. The conjoined armies now resumed their march, and arrived in safety on the 9th of August on their own borders, where the whole dispersed to their several places of abode†.

* Froiss. 1. xix.

† Barb. xix. 797.—806.--Ford. XIII. xii--A. of S. II. 139.

CHAPTER XXX.

Fresh Invasion of England, in 1327; *followed by the Conclusion of a Definitive Peace between Scotland and England, in March* 1328.

The events of the last campaign had proved singularly unfortunate and disastrous to England. During the ill-advised and misconducted operations of a three weeks warfare, the English army had been much wasted through famine and fatigue, although without suffering direct defeat, yet had not been able, after every exertion, to force the enemy to battle. The country had been laid waste to a great extent, by a hostile army vastly inferior in number to that which was A. D. 1327.

A. D. 1327. collected for its defence; and the most anxious endeavours to come up with and encounter the invaders, by the whole military force of England, had been completely foiled with singular skill by a mere predatory detachment of the Scots. Violent animosities prevailed among the great English barons, indignant at the continuance of court favouritism; and the power of the queen mother and her minion Mortimer began to waver. Their influence was opposed by a powerful faction among the nobles; and it was rightly judged, if the young king, through the continuance of the war, were to be bred up in the camp, in the free intercourse which then subsisted between sovereigns and their high spirited martial peers, that he would soon learn to despise the disgraceful tutelage in which he had been hitherto held by his mother and her unworthy paramour. Even the English finances were so completely exhausted, through the weak profusion of the former reign, and by the expensive but unavailing efforts of the late disgraceful campaign, that, so far from being adequate to a spirited prosecution of the war, the demands of the fo-

reign mercenaries could not be then discharged *. A. D. 1327.

Influenced by these considerations, the court of England began seriously to wish for peace, and to see that there remained no reasonable grounds to hope for realizing their long and anxious desire of making a final conquest of Scotland; which had been the favourite object of all their politics, ever since the death of Alexander III. in 1286. The negociations for a final peace between the two countries seem to have been continued, in an interrupted manner, even from the conclusion of the long truce of Thorpe in 1323, and to have been resumed, though languidly, immediately after the accession of Edward III. The same difficulty which had always frustrated that desirable event, the pertinacious obsinacy of the English government in refusing to acknowledge the royal dignity in the person of Robert, and persisting to claim a recognition of the feudal dependence of Scotland, still subsisted; but from long experience of the inefficacy of these obstinate reclamations, the court of England appears to have now shewn some tendency towards a more equitable spirit.

* Foed. Angl. IV. 357. 387.

A. D. 1327. Septr.

To confirm and quicken that pacific tendency, Robert again assembled an army, soon after the return of Randolph and Douglas into Scotland from Stanhope; and with this army, which Barbour asserts to have comprized every person in Scotland able to bear arms, he invaded England by way of the eastern marches. At the head of one division, Robert in person laid siege to the castle of Norham, which was gallantly defended by Robert Manners. A second division, under the command of Randolph and Douglas, besieged the castle of Alnwick: And a third division, the commanders of which are not specified, was detached to lay waste the whole open country of Northumberland *. Barbour attributes the command of this marauding expedition to the King of Scots; and alleges that he went about with it from park to park, amusing himself in hunting: But it is surely a more probable supposition that this detachment would be confided to the charge of a younger and more active commander †.

Though perfectly skilful in all the operations of that species of warfare which suited the waste moors and mountains on the fron-

* Foed. XIII. xii. † Barb. XX. 17—26. Scala Chron. ap Lel. II. 551.

tiers of the two hostile kingdoms, the Scots do not appear to have had any sufficient experience in the art of attacking fortified places. Their finances were probably inadequate to provide the expensive engines which were requisite for the demolition of massive stone walls, and for paying and maintaining an army during the protracted operations of a siege. While the castles of those days were capable, with a very small garrison, compared with the necessary number of assailants, to hold out as long as the health and stores of the defenders were under the charge of vigilant and faithful commanders.

A. D. 1327. Septr.

During the ineffectual siege of Norham, several persons of note in the Scots army were slain by a successful sally from the garrison. Three of these are named by the author of the Scotichronicon: William de Montealto, John de Clapham, and Malise de Dobery. In the Scala Chronica preserved in Lelands Collectanea, the first of these is named Mouhaud or Monhaud; perhaps a corruption of Monthaud, the French original of Montealto, and probably the name now corrupted into Mowat. Clapham may possibly be a mistaken transcription of Clephane. Dobery was inexplicable by the learned Annalist of Scotland;

A. D. 1327. though Boece thought proper to convert this person, on his own authority, into a supposed Malise de Dunbar *.

Oct. As they found themselves unable to make any impression on the strong walls of Alnwick Castle, Randolph and Douglas withdrew their forces, and returned to the royal camp which still ineffectually blockaded the castle of Norham; while the light armed detachment of the Scots army still continued their destructive ravages of Northumberland without encountering any opposition, as the English finances seem to have been so completely exhausted, by the late disastrous effort, as to be unable to supply the necessary expences for collecting a fresh army, and the barons of the northern counties did not dare to oppose the Scots without national co-operation. In this unusual emergency, the government of England was constrained to make an effort to procure peace or truce; and a commission was issued for that purpose to Henry de Percy and

9 Oct. William Denum, empowering them "to treat of peace and concord with the magnates, nobles, and others of Scotland †." According

* Ford. XIII. xii. Scala, ap Lel. II. 551.

† Foed. Angl. IV. 314.

to Scala, in the quoted passage, Denum was was sent alone to Robert, who still lay before Norham, with orders to make a proposal of marriage between David prince of Scotland and Johanna the sister of the king of England. However this particular circumstance may have been, the foundations for a definitive peace certainly were laid about this time, and the negociations were carried on to a successful conclusion.

A. D. 1327. 9 Oct.

The particular steps of this pacific negociation have not reached our times; and we can only form conjectures as to the circumstances, by attending to the dates of various writs in the Foedera, by considering the previous unsuccessful attempts towards the same desirable end, and from the general result of the present successful effort. It may therefore be presumed that Denum had conveyed some amicable propositions from the English administration to the king of Scots about the end of September, which were so far acceptable, probably by holding out hopes of the recognition of his title and of the independence of Scotland, as to induce him to consent to ulterior negociations. Accordingly a commencement having been made by Denum, Henry Percy, as already mentioned, was

A. D. 1327. 9 Oct. joined in commission with Denum, on the 9th of October, to enter into treaty respecting preliminaries. This negociation was drawn out to some length, as the commissioners were not authorized to concede the royal title: But as it continued to proceed, it may be presumed that a satisfactory assurance was given to the King of Scots, that he should be ultimately satisfied upon this subject when the other articles of peace were agreed upon, as that concession and the abandonment of the pretensions to feudal superiority over Scotland required to have a parliamentary sanction.

While these negociations were going on, and

26 Oct. the King of Scots remained before Norham castle, he lost his consort Elizabeth, who died on the 26th October 1327. In the scanty records of Scots history which remain, no circumstances have been prescribed from which to form any judgment respecting the character of this princess: It may therefore be presumed that she spent a blameless life, the faithful and affectionate consort of her illustrious husband and sovereign. Such circumstances as have been handed down to us, of her long continued, but not rigorous captivity in England, have been formerly mentioned.

Her children will fall to be noticed hereafter. A. D. 1327. 26 Oct.
Her remains were honourably reposited in the royal burial place at Dumfermline abbey *.

As Percy and Denum had been so far successful in their commission, as to induce the King of Scots to enter seriously into pacific 20 Nov.
negociations, a protection or safe conduct was issued by Edward for *an hundred* persons, coming from Scotland to Newcastle, or some other part of England, to treat of peace "between the king of England and the magnates, nobles, and others of Scotland; †" and a commission was granted to the Archbishop of York, the Earl of Surrey, and ten others, a- 23 Nov.
mong whom were Percy and Denum, to enter into treaty with the commissioners from Scotland, for a definitive peace between the two countries. The same persons were authorized to conclude in the mean time a truce or cessation of hostilities. These commissioners were farther empowered to grant letters of safe conduct to the envoys or commissioners from Scotland; and Henry de Percy was authorized to swear upon the kings soul to the observance of the peace or truce, when agreed upon ‡.

* Ford. XIII. xii. † Foed. Angl. IV. 325. ‡ Id. ib.

A. D. 1327. 23 Nov. It would appear that the commissioners of the two nations, in consequence of these powers, had agreed upon preliminary articles of pacification, under the reservation of these being confirmed by the English parliament, before the peace could be formally concluded; 10 Dec. as Edward now issued writs of summons for an assemblage of his parliament, expressly to deliberate upon certain articles in a proposed treaty of peace with "Robert Bruce and the magnates, nobles, and others of Scotland*." 1328. 22 Jan. Soon afterwards, new letters of safe conduct were issued for an hundred persons coming from Scotland to York to treat of peace; from which it may be concluded, that the former negociation had not proceeded to a conclusion, or that some of the articles then agreed to were not satisfactory. The Bishop of Durham, the Sheriff of York, and the Mayor of Newcastle, were commanded to give honourable reception and good treatment to the Scots commissioners and their attendants; and a protection was granted for twenty horsemen, who were to precede the Scots commissioners, on purpose to secure proper ac-

* Foed. Angl. IV. 328.

commodations, and to provide all manner of necessaries, previous to their arrival at York *. A. D. 1328. 25 Jan.

In the mean time, to afford an opportunity for proceeding in the ultimate pacific negociations, now apparently in a fair train, a short truce was agreed upon, which was to continue in force until the Sunday in mid-lent; and conservators of this truce were appointed upon both sides. The conditions of this truce are no where mentioned; but they would probably be similar to those in the long truce of Thorpe, formerly detailed. In 1328, Easter fell upon the 12th April: The Sunday in mid-lent, therefore, or the term of this truce, was the 22d of March; and before that day, the work of peace, so long and anxiously desired by both nations, was brought to a happy conclusion.

In the English parliament, which now assembled at York, the important preliminary 1 March. so long insisted upon by Robert, and so pertinaciously refused by the king of England, was at length agreed to, by the recognition of the regal dignity to Robert as King of Scots, and the renunciation of all claim of

* Foed. Angl. IV. 334.

A. D. 1328. 1 March. feudal superiority in the crown of England over the kingdom of Scotland.

Of this important recognition and renunciation, we have two distinct remaining records. One of these was only lately discovered in an ancient book of Scots records in the state paper office at London, and was graciously restored to the General Register Office of Scotland, in 1793, by order of our present Sovereign, and contains the parliamentary confirmation of other letters patent issued by Edward on this subject. This deed has been printed in a large volume of Parliamentary Records of Scotland, published by authority: An accurate copy will be found in the Appendix to this work, and the following is its tenor, freely translated into English.

" Edward, by the grace of God, king of England, lord of Ireland, and duke of Acquitain, to his beloved and faithful Henry de Percy and William la Souche de Asseby, wisheth health. Whereas by our charter or letters patent, we have conceded to the magnificent prince the lord Robert, by the grace of God, king of Scots, that he shall have the kingdom of Scotland, through its rightful marches, as held and enjoyed in the time of the last deceas-

ed Alexander, king of Scotland, of good memory; and we have renounced the right which we and our ancestors in former times obtained or sought to obtain over the kingdom of Scotland: Therefore, fully confident in your fidelity and circumspection, to confirm and render valid all and singular what is contained in said charter or letters patent, by making oath thereto upon our soul, we hereby empower and especially command you or either of you, by the tenor of these presents, to do all and every thing that is or may be necessary in the premises, and to confirm the present letters patent by the apposition of our seal. Given at York this first day of March, in the second year of our reign; and signed by the king himself and council in parliament *". A. D. 1328. 1 March.

Another copy of this important public instrument was published by Rymer in the Federa Angliae, from a transcript preserved in the Chronicle of Launercost, which was considered by Tyrrel as the only copy extent: But another copy has been preserved in the Scotichronicon; and Goodall, one of the editors of that work, has added a more full and

* Parl. Rec. of Scot. I. 85.

A. D. 1328. 1 March. correct copy of the concluding clause, deficient in the M. S. copies of the Scotichronicon to which he had access, from a public instrument in the hand writing of Henry Wardlaw, bishop of St. Andrews, dated 17th March 1415. The great national importance of this deed, on the subject of Scots independence, now happily of historical curiosity only, warrants the insertion of a translation of the deed at large, from the Foedera, and of the concluding clause from Goodall.

"Edward, &c. Whereas the superiority over the kingdom of Scotland, obtained by certain of our predecessors and pertaining to us, hath occasioned many bitter wars, to the great injury and affliction of both kingdoms of England and Scotland; Therefore, by these our letters patent, we will and grant, for us our heirs and successors, by the common consent and assent of the prelates, earls, barons and community of our kingdom, in our parliament assembled, That the kingdom of Scotland, according to its just boundaries, as these were in the reign of the lately deceased Alexander of good memory, shall remain free and entire for ever to the magnificent prince Robert, by the grace of God,

illustrious king of Scotland, our very dear friend and confederate and to his heirs and successors, without any subjection, servitude, reclamation, or demand whatsoever; and we hereby renounce and discharge all right which is or has been claimed by us or our ancestors in the kingdom of Scotland, to the aforesaid king and his heirs and successors: And, for us, our heirs and successors, we entirely and altogether disclaim all obligations, conventions, and covenants whatsoever, that may have been entered into with our predecessors at any time relative to the subjection of Scotland or its inhabitants, by any of the kings or inhabitants whomsoever of the said kingdom of Scotland, whether clerical or laical. And if any letters, charters, muniments, or instruments of any kind shall be hereafter discovered, respecting the execution of any such obligations, covenants, and conventions, we will that they shall be considered as broken, useless, void, null, and of no effect, value, or avail whatever. And for the full peaceable and faithful observance of all and singular of these premises, in all time hereafter, we give full power and special mandate by our letters patent to our beloved and faithful cousin

A. D. 1328. 1 March.

A. D. 1328. 1 March. Henry de Percy, and to William de Souch, or either of them, to swear upon our soul to the performance hereof. Given at York, on the 1st March 1328 *."

The concluding clause, as edited by Goodall, is somewhat different, and more full; and shows that this parliamentary renunciation and recognition is a separate deed from that of the same date, already given from the Parliamentary Records of Scotland; which is the *other* letters patent authorizing Percy and Souche to swear to the observance of this renunciation and recognition.

"And, for the full peaceable and faithful observance of the premises in all and singular, we *have given* full power and especial mandate, by *others* our letters patent, to our faithfull and well beloved subjects Henry de Percy our cousin, and William le Zoush de Asheby, or either of them, to swear upon our soul to the performance of the same. In testimony whereof, we have given these our letters patent at York, on the first of March, in *the second year of our reign.*

By the King himself and Council in Parliament †."

* Foed. Angl. IV. 337. † Fordun XIII. xii.

This important and indispensible prelimin- A. D. 1328.
ary being adjusted to the entire satisfaction of Robert and the Scots nation, negociations for a definitive peace proceeded amicably and with sufficient dispatch; insomuch, that upon the seventeenth day of the same month, the 17 Mar.
articles of a treaty of perpetual peace and amity between the two kings of Scotland and England were agreed upon at Edinburgh, by the king of Scots and the envoys of the king of England; ratified on that day at Edinburgh by Robert, and ratified by Edward at Northampton on the fourth of May. It was long supposed that this treaty had been lost, as no copy of it is in the Foedera, and the late illustrious Lord Hailes endeavoured to supply the deficiency, by a careful examination of public instruments, and the writings of ancient historians, from which he drew out a conjectural enumeration of what he conceived to have been the articles or provisions of this treaty *. But an authentic copy remains in the ancient record, already mentioned, which has lately been restored to

* A. of S. II. 141.

A. D. 1328. 17 Mar. the General Register Office at Edinburgh. An accurate transcript of this long lost deed will be found in the Appendix to this work; and the following is the precise tenor of its provisions. It is in the form of a ratification by Edward of the treaty which his envoys, the bishops of Lincoln and Norwich, Henry de Percy, William la Souche de Asheby, and Geffroy le Scrop, had agreed upon with the king of Scots; and which is described as having been drawn up in form of letters patent indented, to one part of which, delivered to the envoys, Robert had affixed his seal; while the envoys affixed their seals to the part retained by the king of Scots. The ratification by Edward begins by narrating that he

4 May had seen and considered the treaty, which is then engrossed at full length, and concludes by a formal ratification and confirmation subscribed by Edward and his whole council. And it would appear that a similar ratification by Robert *mutatus mutandis*, was transmitted to the king of England. The conditions of the treaty are as follow :—

I. Establishes a definitive and perpetual peace between the contracting parties, their

heirs, and successors, their kingdoms, lands, and subjects. A. D. 1328. 4 May.

II. To confirm this peace, it is contracted, that a marriage shall take place between David, eldest son and heir of the king of Scotland, and Johanna, sister to the king of England: To whom the king of Scots engages to assign two thousand a year in land, reasonably valued or extended, with the knights services, advowsons of churches, and other rights belonging to them; but reserving the patronages of abbeys, priories, and hospitals, and the other rights of the crown.

Should Johanna die before the marriage is accomplished, the King of England is to provide a suitable match for David from his nearest in blood, who is to have the same dower. And if David die before the marriage, the king of England, his heirs and successors, is to have the marrying of the next heir to the throne of Scotland, for Johanna, if allowed by the laws of the church; or otherwise with a suitable match from the blood royal of England.

Johanna is to come to Berwick on Tweed by the 15th July 1328. If David die, she is

A. D. 1328. 4 May.

to be at liberty to remain or return to England: But, if with child, not without the leave of the king and baronage of Scotland.

III. The two kings and their heirs and successors shall be good friends and faithful allies, and shall each assist the other: Saving to the king of Scots the alliance between him and the king of France: And saving, if the king of Scots his heirs and successors, owing to that alliance or other cause, make war on the king of England, his heirs and successors, they may do the like, the present treaty notwithstanding.

IV. In case of war in Ireland against the king of England his heirs and successors, the king of Scots, for himself and his foresaids, agrees not to assist the enemies of the king of England. And reciprocally, in case of war in Man or the other islands of Scotland, the king of England is not to aid the enemies of the king of Scots.

V. All writings, obligations, instruments, and other muniments relative to the subjection of the people or land of Scotland to the king of England, which are annulled and abrogated by the letters patent of the king of England, and all other instruments and privileges

respecting the freedom of Scotland shall be faithfully delivered up to the king of Scots as soon as possibly they can be found; and an indenture shall be made of each writing, obligation, instrument, and muniment so delivered. A. D. 1328. 4 May.

VI. In case the letters, by which the king of England declares the said writs, obligations, instruments, and muniments annulled and abrogated, ought to become null and restored, all these writs, obligations, instruments, and muniments, so delivered to the king of Scots, shall be restored to the king of England and his foresaids.

VII. The king of England engages faithfully to give his assistance to have the processes in the court of Rome and elsewhere, against the king of Scots, his kingdom and subjects, clergy and laity, recalled and annulled with all their consequences.

VIII. The king, prelates, and nobles of Scotland, engage to pay to the king of England, twenty thousand pounds sterling in three years, at three terms of payment, at Tweedmouth; submitting themselves, in case of failure, to the jurisdiction of the papal cham-

A. D. 1328. 4 May.

ber; but no execution is to issue until two months after each respective term of payment.

IX. The laws of the Marches are to be well kept on both sides *.

These are all the articles contained in the record of this celebrated treaty; but in the ingenious attempt which was made by Lord Hailes to restore its conditions, there are a number of other conditions or articles besides the above. It is by no means improbable, that some additional convention or agreement was entered into at the time of this treatty, or afterwards, as Lord Hailes has given substantial grounds for every one of the conditions which he brings forwards. It has therefore been deemed proper to give in this place a transcript of these hypothetical articles, together with the quotations, observations, and reasonings on which our excellent Annalist founded his opinion of their having formed parts of this treaty †.

1. There shall be a perpetual peace between the two kingdoms of England and Scotland.‡

* Parl. Rec. of Scot. I. 85. † A. of S. II. 142, 143, 144. ‡ Fœd. Angl. IV. 337. Ford. XIII. xii.

2. The stone on which the kings of Scotland were wont to sit at the time of their coronation, shall be restored to the Scots. A. D. 1328. 4 May.

" We owe the knowledge of this singular circumstance to the industrious author of the Introduction to the Calendars of Ancient Charters. He has discovered a writ under the privy seal, 1st July 1328, by Edward III. to the Dean and Chapter of Westminster, reciting, " That his council had, in the parliament held at Northampton, agreed that " this stone should be sent to Scotland; and " requiring the Dean and Chapter, in whose " custody it was, to deliver it to the Sheriffs " of London, who were to cause it to be carried to the Queen mother *."

3. The king of England engages to employ his good offices at the papal court for obtaining a revocation of all spiritual processes depending before the holy see against the king of Scots, or against his kingdom and subjects.

" To this purpose Edward III. addressed the Pope and the Cardinals in a more earnest strain than mere benevolence to the king and nation of Scotland would have excited †.

* Calend. of Anc. Ch. Intr. 58. † Fœd. Angl. IV. 350.

A. D. 1328. 4 May. 4. For these causes, and in order to make reparation for the ravages committed in England by the Scots, the king of Scots shall pay 30,000 merks to the king of England.

"From the different passages in Foedera referred to, it seems that this sum was to be paid at the rate of 10,000 merks annually, on St John Baptists day. Whether that day was fixed upon by accident, or whether the English chose to have this pecuniary acknowledgement made on the anniversary of Bannockburn, I know not *.

5. Restitution shall be made of the possessions belonging to ecclesiastics in either kingdom, whereof they have been deprived during the war. *Quod viris ecclesiasticis utriusque regni, super possessionibus suis per guerram occupatis, nullatenus praejudicetur* †.

"It appears that this article was, *bona fide*, executed by both nations. For Edward III. acknowledged that the king of Scots had made the stipulated restitution; and he, on his part, ordered restitution to the Abbies of Jedburgh, Melrose, Kelso, and Dundrenan ‡.

* Foed. Angl. 397 & 410. † Ib. id. IV. 467. ‡ Ib. id. 373.

6. But there shall not be any restitution made of inheritances which have fallen into the hands of the king of England, or of the king of Scots, by reason of the war between the two nations, or through the forfeiture of former possessors. A. D. 1328. 4 May.

" Such a provision was either expressed or implied with respect to Scotsmen. This appears from a grant in *Foedera*, IV. 384. by Edward III. to Sir James Douglas: " Be it " known that, *of our special favour*, we give " and restore to James Douglas, knight, the " manor of Faudon in Northumberland, with " its pertinents, and all other lands, tene- " ments, and holdings which his father Wil- " liam Douglas had in England, and which, " through the war between Edward formerly " king of England our grandfather, and the " then king of Scotland, were taken into the " hands of our said grandfather, as forfeited, " and therefore fell into our hands. Given " at Eltham, 12th May, 1329.

" *Abercrombie*, I. 626, says: " Though " Englishmen were not to be repossessed of " those estates Edward I. had given them in " Scotland, yet Scotsmen were reponed in " those he had taken from them in England;

A. D. 1328. 4 May. " for which reason the lands of Faudon in " Northumberland, that had belonged to Sir " William Douglas before the war first broke " out, were now restored to Sir James Doug- " las his son." Thus Abercrombie, thinking to do honour to his native country, has mistaken the plain import of the grant to Sir James Douglas, and has represented the treaty of Northampton as a treaty partial and unjust. Words cannot be plainer than those in the grant by Edward III. to Douglas; it is restitution *through special favour* alone; and indeed it is impossible that different rules should have been established with respect to Englishmen in Scotland and Scotsmen in England. Modern historians have enlarged and embellished this article according to their own imaginations, and ancient historians have hardly mentioned it at all. There is some allusion to it in the following passage: " But " these lords, Percy, Wake, Beaumont, and " Zouche, would not agree upon this condi- " tion, that the Englishmen should lose " such lands as they held by inheritance in " Scotland *.

It is provided by Stat. 7. Parl. i. James III.

* Scala Chron. ap. Leland, 552.

"That na Englishman have *benefice secular* "or religious within the realm of Scotland, "*after the forme of the act maid thereupon by* "*Robert the Bruyce.*" No such statute exists; for c. 24. Robert I. is of a less extensive import. It can hardly be supposed that *benefice secular* comprehended all land estates. It will be observed, that by the treaty of Northampton, the king of Scots, in effect, renounced all claim to his paternal inheritances in England.

A. D. 1328. 4 May.

7. But Thomas Lord Wake of Ledel, Henry de Beaumont Earl of Buchan, and Henry de Percy, shall be restored to their lordships, lands, and estates, whereof the king of Scots, by reason of the war between the two nations, had taken possession*.

"Henry de Beaumont, in right of his wife, an heir parcener of the Earl of Buchan. Thomas Lord Wake of *Ledel* or *Lidel*, was proprietor of that lordship. Henry de Percy had possessions in Galloway and Angus; the lands of *Vere* in Galloway and of Redcastle in Angus being his property. These lands had formerly belonged to Henry de Balliol; they

* Foedera, IV. 461.

A. D. 1328. 4 May.

descended to his daughter and heir, Constance, and from her, to her son, Henry de Fishburn, who sold them to Percy. *Dugdale*, i. 273. I have doubts as to the word *Vere*, which is in Dugdale. For farther particulars, see Dugdale, articles *Beaumont*, *Wake*, *Percy*.

8. Johanna, sister of the king of England, shall be given in marriage to David, the son and heir of the king of Scots *.

9. The king of Scots shall provide the princess Johanna in a jointure of £2000 yearly, secured on land and rents, according to a reasonable estimation †.

" We may presume that the neat yearly produce would be ascertained by an inquest, and this would produce a *new extent* of great part of the crown-lands and rents.

10. If either of the parties fail in performing the conditions of this treaty, he shall pay 2000 pounds of silver to the papal treasury.

Such are the articles which appeared to Lord Hailes to have constituted the treaty between the two nations, usually named the *Treaty of Northampton*, because ratified at that place by the king of England on the 4th of

* Fœd. IV. 354. † Id. ib. id.

May, 1328; but which ought to be named the *Treaty of Edinburgh*, as it was negociated there, and ratified by Robert and the English envoys at that city on the 17th March 1328. The real articles of the treaty we have already enumerated from the authentic record. Some observatious on the conditions presumed by Lord Hailes to have been contained in this treaty may be allowed. A. D. 1328. 4 May.

2. The restitution of the fatal stone of Scone is not mentioned in the real treaty; but, from the writ mentioned in the Callendar of Ancient Charters, it may have been considered as among the writings, obligations, instruments, and other muniments, which were to be annulled and delivered up to the king of Scots. This article, however, was never restored, and still forms the seat of the coronation chair of Britain.

4. The payment of 30,000 merks, or £20,000 as in the treaty, for the sums are exactly equal, certainly was not meant in compensation of damages to England by the war; for Scotland had been at least equally injured in its earlier period: But were in all probability a kind of purchase or relief of the extort-

A. D. 1328, 4 May. ed feudal supremacy, now renounced; conformably to what had been done on a similar occasion in 1189, when Richard king of England restored to William, for 10,000 merks, the feudal vassalage which had been extorted by Henry II. from the same William in 1174.

5. 6. 7. No mention is made in the treaty of any restoration of lands whatever, clerical or laical. This was probably left to the generosity of the two kings; or perhaps the restitution of church lands might be agreed to by a separate convention. The claims of the lords Wake, Beaumont, Percy, and Zouche, mentioned in Scala, were probably left to be prosecuted according to law.

10. There is no such clause in the treaty. But in the VIII. article of the authentic treaty, the payment of the instalments of the £20,000 is submitted to the jurisdiction of the Papal Chamber. Besides this, in a separate treaty or convention, an accurate transcript of which will be found in the Appendix, entered into at Edinburgh between Robert and the English Envoys, of the same date with the treaty, the king of Scots, with the con-

sent of the prelates, earls, barons, and other nobles, and the community of Scotland, engaged to pay £100,000 to the king of England at Tweedmouth on the feast of St Michael, 29th September 1338, and that the renunciation of feudal supremacy over Scotland shall then become null, if the marriage between David and Johanna, or one equivalent, shall not then have taken place *. A. D. 1328, 4 May.

By this treaty, so honourable to Robert and the Scots nation, and necessary to England in its then state of weakness and disunion, the pretended claim of feudal superiority of England over Scotland, which had agitated the two kingdoms during forty-two years, the last thirty-two of which was filled up with an almost incessant and sanguinary war, was amply and for ever renounced. The utmost efforts of the vastly more populous, larger, richer, and more powerful kingdom of England, though long aided by a large proportion of the principal nobles of Scotland, having been ultimately and completely baffled by the persevering bravery of the Scots nation, under the incomparable conduct of their illustrious

* Parl. Rec. of Scot. I. 87.

A. D. 1238. 4 May. sovereign; a patriot hero, hardly to be matched, and certainly not excelled in the annals of freedom. And in this great measure of final pacification, as well as in all his former negociations with England, Robert certainly evinced himself to have been an able and judicious politician. By the sacrifice of £20,000, equal in efficacy to at least £300,000 of our modern money of account, as far as the solemnity of a regular treaty could extend, he secured the peace of his country which he had restored to freedom; and this at a very critical period, when his own declining health, and the tender age of his son and successor, exposed his emancipated country to all the dangers and weaknesses of a long and perhaps factious minority. That his cares were not eventually effectual for this patriotic purpose, depended upon circumstances and events which he could not possibly foresee and provide against, and which it does not belong to the history of this reign to unfold.

However seasonable and necessary in the existing circumstances of England, the peace of Northampton, as it has been called, was unaccountably considered by the ancient English historians as ignominous and disgraceful to

their country; because it abandoned groundless and unjust pretensions which were obviously unattainable, and which had produced infinite misery and incalculable injury to both nations. The marriage likewise of the heir apparent of Scotland with the English princess, which took place in consequence of this pacification, these authors have termed base and degrading to the royal family of England, though in every respect equal and honourable to both parties*. Motives of private interest, as already observed, may assuredly have influenced the queen mother and Mortimer to hasten the conclusion of this peace so glorious to Robert, although he acquired nothing from it but what he and his kingdom were fully intitled to, and so necessary, yet in no respect degrading, to England, as no portion of her territories was abandoned. "It is fortunate for a nation," observes Lord Hailes on this occasion," when the selfish views of its rulers chance to coincide with the public interest. They who censure pacific measures are generally those persons who are exempted, by their condition,

A. D. 1328. 4 May.

* Avesbury, Hist. Edw. III. p. 7.

A. D. 1328. 4 May. from encountering the toils and dangers of war, or from contributing to the intolerable exactions which are necessarily occasioned by its expence. No peace is ever adequate to the sanguine expectations of the vulgar; and, through some strange fatality, their expectations are no less sanguine after a long series of disasters, than after the most signal and uninterrupted success *."

* A. of S. II. 145.

CHAPTER XXXI.

From the Conclusion of Peace between Scotland and England in March 1328, *to the Demise of Robert I. 7th June* 1329.

In pursuance of the treaty of peace, all necessary measures were taken for carrying its provisions into effect. As tutor to his sister, and with the concurrence of their mother, the queen dowager, Edward sent Sir Roger Mauduyt and Robert de Tughale into Scotland, as trustees or commissioners to demand from the king of Scots, and to receive under their management certain lands and rents to the extent of £2000 yearly, equal to £30,000 a year of our modern money, which had been stipulated for, as a settlement or dower to the young princess upon her marriage with prince David*. He likewise announced the esta- A. D. 1328. 1 May.

* Foed. Angl. IV. 354.

A. D. 1328. 3 May. blishment of peace between the two governments to the Pope, with a warm recommendation to revoke the processes and sentences which had been issued against the king of Scots and his subjects *.

Soon after the dowry lands of the young princess were settled, Johanna began her journey to Scotland, for the celebration of her marriage with prince David. She was accompanied to Berwick by the queen dowager, the earl of Mortimer, and the bishop of Lincoln, high Chancellor of England, and attended by a splendid retinue. At Berwick, she was honourably received by her young bridegroom, attended by the earl of Moray and Sir James Douglas, who represented their sovereign upon this joyful occasion, as Robert then lay dangerously ill at Cardross †. The
12 July. marriage was celebrated at Berwick with great magnificence, and every demonstration of mutual joy and satisfaction; the prince being then only five years of age, and the princess seven ‡. On this occasion the Scots are said to have given to the princess the

* Foed. Angl. IV. 350. † Ford. XIII. xiv. ‡ Hemingf. II. 269.

sobriquet or nick-name of Johanna *Make-Peace*, in allusion to the recent treaty with England, in which this marriage formed a prominent feature *. A. D. 1328. 12 July.

Although not inserted in the treaty, it seems to have been understood in some manner between the two governments, that the rights of the church in either kingdom were to be saved from prejudice. In pursuance of this understanding, Edward gave orders to restore the lands and revenues in England which had formerly belonged to the abbeys of Jedburgh, Melrose, and Kelso; and similar orders were issued for restoring certain possessions in Ireland which had belonged to the abbey of Dundrennan in Galloway. In the writ containing these orders, it is mentioned as a reason for their being issued, that the king of Scots had ordered a similar restitution to be made to the English ecclesiastics, of their lands and possessions in Scotland †. 28 Oct.

In the following year, 1329, Edward restored to Sir James Douglas, the manor of Faudon in Northumberland, and all other lands A. D. 1329. 12 May.

* Acta Regia. I. 183. † Foed. Angl. IV. 373.

A. D. 1329. 12 May. and posessions in England, which had formerly belonged to his father Sir William Douglas, and which had been forfeited by Edward I. for the share which Sir William had taken in opposing his ambitious schemes against the liberties of Scotland*. And, about the same period, Robert ordered restitution to be made to Henry de Percy of certain lands in Scotland to which he laid claim. Perhaps both of these restitutions may be considered as acts of royal munificence, in return for the services performed by these persons in forwarding the late pacific negociations.

By one of the articles in the late pacification, Robert had engaged to pay £20,000 to the king of England, by three annual payments of 10,000 merks each. The first of these instalments fell due on the nativity of St. John the Baptist, 24th June, this year. But finding this to be difficult or impossible for him to perform on the appointed day, the king of Scots requested and obtained from Edward a
13 May. delay as to the payment of one half of this sum, from St. John Baptists day, 24th June, to the festival of St. Martin, 11th November,

* Foed. Angl. IV. 384. 461.

in the ensuing winter*. The half of 10,000 merks, equal in weight of silver only to £10,000 of our money, but fully equal in efficient value to £50,000 at present, would hardly now give any difficulty to a first rate merchant or banker to pay at a very few days notice, and does not amount to half a days expence of the government of Britain at present, including the interest of the national debt. But in those days, when the royal revenue of Scotland barely sufficed for the indispensible charges of the household, probably not so splendid as the establishments of some of our present nobility, the payment of so large a sum, out of the ordinary course, must have been a matter of very serious difficulty. A. D. 1329. 13 May.

It has been already noticed that Edward, pursuant to one of the stipulations in the pacification, had interposed his good offices at the papal court for having the processes and sentences of excommunication and interdict against Robert and his kingdom revoked and annulled. We have no remaining record of the steps taken by the king of Scots on this occasion, but we may be well assured, that he would continue his negociations with the pope

* Foed. Angl. IV. 384.

A. D. 1329. 13 May.

and cardinals, for a thorough reconcilement with the holy see, and may even presume that his exertions would be strengthened by golden arguments. That these negociations were ultimately successful cannot be doubted; as there is in the magnificent Library of the Faculty of Advocates at Edinburgh, an original Bull, addressed by Pope John XXII. to Robert king of Scots, authorizing the coronation and holy inunction of him and his heirs and successors, kings of Scotland, by the bishop of St. Andrews for the time being; and, in case of his absence or refusal, by the bishop of Glasgow. This deed is dated at Avignon, on the ides of June, in the thirteenth year of the pontificate of that Pope, 13th June 1329; and was consequently executed exactly six days posterior to the demise of the king of Scots.

The king appears to have spent the two last years of his life chiefly at Cardros, on the eastern shore of the Firth of Clyde, in Dunbartonshire; and where he seems to have amused his declining health in the construction of ships, in aquatic excursions, in fishing, and in hawking. In the chamberlain rolls of this period, there are various charges

on these accounts. Particularly for various expences about the kings ships, 107s. and 2d. equal to £80. 7s. 6d. of our modern money. Paid to twelve men of Dunbar, for bringing the kings great ship from Tarbart, 18s. equal to £13. 10s. Likewise for masts to the kings ships, and for the manufacture of eighty stones of iron for the kings ships. On one occasion 40s. equal to £30 of our modern money of account, was paid for a net, fitted for catching great and small fish. One charge is made for repairing and roofing a house at Cardros for the falcons, or hawks. The king appears at this period to have kept a lion, as the expence of maintaining one is charged in these accounts. At this time likewise there is charged certain expences for the journey of Patrick the *fool* from England. At Cardros, the king appears to have lived very hospitably, and to have had a numerous retinue, from the large quantity of barley and malt purchased for the use of his brewhouse, and the abundance of animal food, especially beef, provided for the larder. On one occasion, six hundred hard fish, eighty large eels, twelve congers, thirty-six salted salmon, and thirty *milnelli* were delivered to John, the

A. D. 1329. May.

A. D. 1329. May.

clerk of the kitchen. The last article mentioned in this entry, *milnelli*, appears to have been some species of salted fish, from its connexion with the other articles by which it was accompanied; probably barrelled ling. In the same account, there are several entries of deliveries of meal to different poor people, who appear to have received regular supplies by the kings order *.

The glorious assertor of the rights and liberties of Scotland and illustrious restorer of the Scots monarchy, did not long survive the the honourable conclusion of his arduous and eminent services in the cause of his country. He had been long afflicted by an inveterate distemper, the consequence of the severe and almost unparalleled hardships which he had undergone at the commencement of his heroic endeavours to raise himself to the throne, and to rescue his enthraled country from the tyrannous usurpation of Edward I. The disease, by which he was oppressed, was in those days termed a leprosy *; but we have no remaining account of its symptoms or appearance in his particular case. A very minute account has

* Chamberlain Rolls, in the Register Office at Edinburgh.

been handed down to us by Froissart and Barbour, two almost contemporary authors, of an interesting and pathetic scene that is said to have passed between the king, while on his death-bed, and the illustrious Sir James Douglas; which may be considered as a faithful record of the traditionary story while quite recent among those who were alive at the time. Although the narrative of Froissart differs in some minute particulars from that given by Barbour, the two stories agree in their general scope; we have therefore deemed proper to give an abstract or free translation of both, beginning with the account of Froissart †, which is more minutely particular than that of Barbour. A. D. 1329. May.

'Robert king of Scots, who had always evinced himself a most gallant warrior, was seized in his old age by the leprosy, and in so severe a degree, that, being convinced his end was fast approaching, he summoned to his presence all the chief nobles and barons of the land in whom he reposed most confidence. After expressing to this assembly, his full conviction that he could not recover from his

* Frois. I. xxiv. † Id. ib.

A. D. 1329. May. present sickness, he enjoined them to preserve the kingdom, which had been achieved by his and their valour, in its perfect integrity and independence, to his son prince David, and to crown and obey him as their sovereign, when he should attain to the proper age; and he received their solemn engagements to that effect, on the pledge of their honour and loyalty. Then calling Sir James Douglas to his bed side, he thus addressed that faithful and valorous companion of all his chequered fortunes, in presence of the assembled nobles.

"Dear and gallant friend! you well know the many troubles and severe hardships I have undergone during my life, in recovering and defending the rights of my crown and people, for you have participated in them all. When almost overwhelmed by the power of our redoubted enemies, I made a vow, if I should ever be enabled to restore my kingdom to peace and freedom, to assume the cross against the enemies of our Lord and Saviour, and the adversaries of the Christian faith; and to the fulfilment of this most solemn engagement, my heart and soul have ever been most anxiously devoted. But it has pleased Divine Providence, that my whole

life hitherto has been occupied in the necessary duty of defending the liberties and independence of our dear country; and this heavy disease has now bereaved me of all hope that I shall ever be able to fulfil my most anxious wishes. Wherefore, I now desire that my heart may proceed to execute that vow which my body is unable to perform: And, knowing no knight in my dominions more valiant than you, or better fitted, by chivalric enterprize, to complete my intentions, I earnestly entreat that you, my most dear and faithful friend, through your long tried love, would undertake the expedition to the Holy Land in my stead, that my soul may be thereby acquitted before our Lord and Saviour, from the vow which I am not able to fulfil. And I am so thoroughly convinced of your loyal attachment to me, and of your knightly unsullied honour, that I am certain my purpose cannot fail of success, if you engage for its performance. For this end my earnest desire is, when I am dead, that you take my heart along with you to Jerusalem, and deposit it in the holy sepulchre of our blessed Lord and Redeemer, since my frail body is unable to go there according to my vow. I authorise you

A. D. 1329. May.

A. D. 1329. May.

also, to receive such a sum from my treasury as may be requisite for the due performance of your journey, along with such attendance as you may deem necessary for yourself, and befitting my dignity."

'All those who were present during this affecting discourse bitterly lamented the approaching loss of their beloved sovereign: And, when Sir James Douglas had so far recovered himself as to be able to speak, he made the following answer. "Gallant and noble king! I return my most unfeigned and hearty thanks, for the dear and invaluable treasure which you are graciously pleased to confide to my care; and, however unworthy of the high honour, you may rest assured, that I shall most willingly, and to the utmost of my power, perform your high behests, with the most perfect loyalty: And this I promise faithfully to perform, upon the honour of my knighthood." To this the king replied. "Brave knight! I most sincerely thank your love and loyalty. Blessed be my God and Saviour! I shall now die in peace, since I know and am assured that the most valiant and most accomplished knight in all my kingdom will perform that vow which I

have not been permitted in my own person to fulfil.' A. D. 1329. May

The narrative of Barbour is as follows *: 'When every thing was settled to his mind relative to the marriage of his son, and the Scots parliament had pledged fealty to him as heir apparent, and failing him and heirs of his body to Robert Stewart the son of the deceased princess Marjory, the king retired to Cardros, where he was seized with so heavy a sickness that he believed himself dying. He therefore summoned the lords and prelates of the realm into his presence, before whom he executed his testament, in which he left large sums of money to the religious of various fraternities, that they might pray for the salvation of his soul. He then addressed the assembled nobles, mentioning his intention of going upon an expedition against the enemies of God, in expiation of his sins, and particularly on account of the quantity of blood which had been shed in his wars. And, as he now found this impossible, through the near approach of death, he requested them to chuse one of their own body, to carry his heart to

* Barb. XX. 148.—238.

A. D. 1329. May. war against the foes of God. The Lords sorrowfully withdrew to another room, and chose Sir James Douglas to fulfil the kings wish. When this election was made known to the king, he expressed his perfect satisfaction in their choice, which had fallen on the person he most earnestly wished to accomplish the intended holy pligrimage. He then addressed his discourse to Sir James, asking whether he acquiesced in the arrangement, and was willing to perform this last service. Douglas, kneeling at the kings bed side, thus addressed his beloved sovereign. " I have greatly to thank you, dread Sir, for the many and large bounties which you have bestowed on me since I have been in your service; but chiefly and above all that you consider me as worthy to be entrusted with this precious charge of your heart, which has ever been full of prowess and goodness. And you may rest assured, I shall most loyally perform this last service, if God grant me life and power." The king tenderly thanked his love and loyalty; and all present wept at the melancholy scene they now witnessed.'

Soon after this, the king died at Cardros in the county of Dunbarton, on the 7th of June

1329, at the age of fifty-five, after an arduous and glorious reign of twenty-three years, two months and eleven days, counting from the 27th March 1306, when he ascended the throne at Scone*. In the parish of Cardros to the west of the river Leven, a small eminence still retains the name of the *Castle-hill*; on which, according to the tradition of the country, a castle once stood, which was the occasional residence of the king, and in which he breathed his last; but no vestige even of the ruins are now to be seen †. His lamented remains were deposited in the choir of the church of Dunfermline, near those of his second consort ‡.

A. D. 1329. 7 June.

By his first wife Isabella, the daughter of Donald tenth Earl of Marr, king Robert had one daughter, Marjory, who married Walter, the hereditary High Stewart of Scotland, by whom she left one son, Robert Stewart, afterwards king on the demise of his uncle David II. and from whom the crown has descended to the present reigning family by several collateral steps.

* Hemingf. II. 170. † Stat. Ac. of Sc. XVII. 223.
‡ Ford. XIII. xiv. Barb. XX. 285—292.

A. D. 1329. 7 June. His second consort was Elizabeth, the daughter of Richard de Burgh Earl of Ulster in Ireland; by whom he had one son David II. who died childless in 1371, in the 47th year of his age, and 42d of his reign. Elizabeth likewise had two daughters, Margaret and Matilda*. Margaret, the elder daughter, married William Earl of Sutherland, by whom she had two sons, John and William. John was sent along with his father into England, among the hostages for his uncle David II. in 1357, where he died in 1361 at Lincoln of a pestilential disease †. William carried on the line of the Sutherland family, which is now represented by the Marchioness of Stafford, Countess of Sutherland in her own right ‡.

Matilda or Matildis the other daughter married a simple esquire or private gentleman, whom Fordun names Thomas Isaac ||. Crawford, in his Peerage, perverts the expression of Fordun into Thomas de Ysack, as if to conceal the meanness of her marriage, by the appearance of a more dignified appellation derived from landed possession §. In report-

* Ford. XII. xxiii. † Id. XIV. xxv. and XI. xiii. ‡ Sutherland Case. || Ford. XII. xxiii. and XIV. vii. § Crawf. Peer. 72.

ing this marriage, Fordun, adds, " I incline to " be entirely silent respecting Matilda, as she " performed nothing worthy of remembrance." " Whether this passage, observes Lord Hailes, only alludes to her mean alliance, or may also apply a particular censure on her character, I know not *." This marriage must have taken place during the almost hopeless depression of the Bruce family, by the usurpation of Edward Baliol, aided by the unprincipled conduct of Edward III. By this marriage she had two daughters; of whom the elder, Johanna, is said to have married the once powerful John, Lord of Lorn, by whom she had a family of sons and daughters. The younger, named Katharine, died unmarried at Stirling; and Matilda herself died at Aberdeen in 1353, and was buried at Dunfermline beside her royal parents †.

A. D. 1329. 7 June.

In the M. S. collections of Sir Alexander Seton, Lord Pitmedden, there is a transcript of a charter by David II. erecting the lands of Gask into a barony, dated 11 January 1364, and containing the following clause: " To our faithful and well beloved Walter Oliphant and to Elizabeth our sister, for

* Ford. XI. xiii. A. of S. II. 148. † Ford. XIV. vii.

A. D. 1329. 7 June. the good service performed by him to us" *. Crawford, in his Peerage, asserts that he had seen this charter in the possession of Oliphant of Gask, but gives the abovementioned clause somewhat differently, as follows: "To our faithful and well beloved Walter Oliphant, and to his spouse Elizabeth our beloved sister †." And from this charter he positively asserts the existence of an Elizabeth, the lawful daughter of King Robert. On this subject our excellent Annalist has the following judicious reflections. "The silence of Fordun and his continuator respecting this lady is remarkable; and, not having any opportunity of inspecting this charter, I must still hesitate. Every one conversant in ancient deeds knows that *filius filia frater soror*, son, daughter, brother, sister, are words which do not necessarily imply legitimate relation. To remove all doubts, the charter itself, if extant, ought to be deposited in the register office ‡."

Besides these, the restorer of the Scots monarchy and independence had a natural son, Robert, on whom he conferred the lands

* A. of S. II. 148. † Crawf. Peer. 72.

‡ A. of S. ii. 148. note.

of Liddesdale, which William Sulis had forfeited *. He was slain in the battle of Duplinmoor on the 12th August 1332 †, and does not appear to have left any issue. A. D. 1329. 7 June.

The characters of princes, more especially of such as have actively discharged the high duties of their station, both in peace and war, are best known from a recital of their actions, which has been attempted in the preceding pages. In his earlier years, before his accession to the throne, we have seen Robert I. acting in a variable and apparently indecisive manner, as if unsteady and capricious, and even as destitute of firmness of mind and decided energy of character, frequently changing his plans and principles with the varying political circumstances of the times. Yet he was certainly, even then, endeavouring secretly to prepare for the great contest in which he afterwards engaged; and some traces still remain, as formerly noticed, which tend to evince that he always steadily bent his views towards attaining the sovereignty of Scotland, which he uniformly considered as his undoubted right, and which he ultimately and gloriously achieved. We have seen him assert

* Caledonia, II. 117. † Ford. XIII. xxiii.

A. D. 1329. 7 June. his right to that high and dangerous eminence, at a time when no other result seemed possible from the apparently rash and desperate attempt, except utter ruin to himself, his house and his adherents; many of whom perished miserably in defending his cause and that of their country. We have diligently endeavoured to follow his steps through a long and arduous contest; during which, according to the exigency of circumstances, he exerted all the energies of an expert partizan leader of desultory and petty warfare, all the talents of an excellent general and courageous warrior, and all the wisdom and foresight of a consummate politician. We have contemplated him in the beneficent character of a judicious legislator; anxious to preserve his country from a renewal of the miseries attendant upon a disputed succession to the throne, even sacrificing the rights and interests of his daughter and only child on the altar of patriotism with that view; and using every effort of legislative wisdom to place his hardy, brave, and faithful subjects under the safeguard of well devised laws.

It must not, however, be overlooked that, impelled by the best motives, gratitude for their invaluable services, Robert may be con-

sidered as having been lavish in his grants to some of his faithful followers, of the extensive estates, or principalities rather, which fell to the crown by the forfeiture of those nobles who opposed his elevation, and pertinaciously adhered to the English interest. Besides these extensive grants of land, he conceded to many of his nobles, and even to some religious communities, the regalities of their estates, or in some measure the royal powers, jurisdiction, and authority within their bounds; converting them, from powerful subjects, into half independent palatines, princes, or semi-vassals, more intent upon securing and extending their own noxious immunities than in forwarding or defending the honour of the crown, or the glory, prosperity, and independence of their country. But this political error must be imputed to the universal spirit of the middle ages in all the European monarchies, in several of which this ruinous system was carried to a much greater extent than in Scotland. During the life and reign of Robert, this evil was not felt, as his donatories were still impressed by a grateful sense of their manifold obligations to his munificence, and by indelible personal attachment. But, in the course of the subsequent reigns of the Stewart

A. D. 1329. 7 June.

A. D. 1329. 7 June.

race, especially of the astonishingly unfortunate successive Jameses, in which almost every reign of seven, including Mary, exhibited the debilitating incident of a long and factious minority, the extension of this precedent induced an almost destructive weakness in the necessary power and influence of the crown: And nothing could have protected the liberties and independence of Scotland, except the concomitant debility of the crown of England, produced by its frequent mad attempts to conquer France, and the perpetual recurrence of revolution, usurpation, and civil war, during the lengthened contest between the rival houses of York and Lancaster. But, as none of the injurious circumstances here alluded to had any influence during the reign of Robert, any farther than as laying an unfortunate foundation for debilitating the power and influence of the crown in favour of the aristocracy, without raising up, as in England, a popular or democratical interest to counteract and moderate the other two estates, it were incompatible with the object of the present work to enter farther upon this delicate subject of discussion.

In closing the history of this interesting reign, it may be fairly pronounced of *Robert*

King of Scots, That, for the period in which he reigned, and the people over whom he ruled, he was most eminently endowed with the virtues and talents which best fitted his situation, and the age and nation in which he was placed. He possessed consummate bravery, directed by profound military judgment; steady and impartial justice, tempered by mercy; was affable, affectionate, and endearing among his family, friends, and military followers; wise, dignified, and judicious in his negociations with his great enemies, the second and third Edwards, and the Roman Pontiffs. During the whole of his reign, he executed all the duties of royalty in the most ample and efficient manner, almost unexampled in history; and to him may be justly applied the truly great and honourable title of *Father of his Country*. A. D. 1329. 7 June.

It may be proper to mention here some miscellaneous particulars respecting the reign of Robert, which could not be conveniently noticed in the course of the narrative. So far as we know, the great officers of the crown then were the Chancellor, Chamberlain, Stewart, Constable, Marshall, Justiciary, and Butler. The Abbot of Arbroath was Chancellor from

A. D. 1329. 7 June. 1306 to 1328, when he was succeeded by Walter de Twynham, one of the canons of the Cathedral of Glasgow. The Chamberlain had the management of the royal revenues, and enjoyed supreme jurisdiction over the boroughs. We are not informed by whom this office was filled in the early years of this reign, but William de Lyndesay, rector of Ayr, held the office from 1317 to 1322, when he was succeeded by Robert de Peebles, canon of Glasgow. On the 4th June 1323, the office was conferred on Sir Alexander Fraser, who had married Mary, the kings sister. The office of Stewart was hereditary in the family of that name, Lords of Renfrew, till Robert II. succeeded to the throne in 1371; after which it became an appanage of the heir apparent, and still continues. The office of Constable, which had for many generations been held by the family of Moreville, was conferred hereditarily by Robert on Gilbert de Hay in 1314, and is still enjoyed by his descendant, the Earl of Errol. The Marshal was hereditary in the family of Keith from 1175, and Robert confirmed the office to Robert de Keith, from whom it descended to the last Earl Marshal, who died without male heirs late in the eighteenth century. The office of Justiciary was at different times branched out, by divid-

ing the realm into great provinces; and in the reign of Robert there appear to have been three Justiciaries: One between the Forth and the English borders, called the Justiciary of Lothian, a second from the Forth to the Grampians, and a third for the more northern regions. The office of Butler had been hereditary in the family of Soulis; and on his forfeiture in 1320, was granted under the new denomination of Panetarius, or master of the Household, to Sir Andrew Moray *.

A. D. 1329. 7 June.

Robert held at least *sixteen* sessions of Parliament during his busy reign, of which the following enumeration may be worth notice. His *first* was held at St Andrews, on the 17th March 1309; and published a solemn declaration of the right of their gallant sovereign to the throne, formerly mentioned. By this parliament likewise an answer was transmitted to Philip, King of France, to certain propositions from him respecting a renewal of the former treaties of alliance between France and Scotland, and concerning a proposed Crusade, or expedition to the Holy land.—2. At the Abbey of Cambuskenneth, 6th November 1314; which was chiefly occupied in attainting those

* Caledonia, Book IV. Ch. iv. passim.

A. D. 1329. 7 June.

who had not submitted to the authority of the king.—3. In the church of Ayr, 26th April 1315, in which the first act of settlement of the Scots crown was enacted, as already related.—4. At Scone, 3d December 1318; principally for a new settlement of the crown, in consequence of the death of Edward Bruce, formerly noticed.—5. In the Abbey of Arbroath, 6th April 1320; in which the spirited epistle to the Pope, already noticed in its proper place, was agreed upon.—6. At Scone, 1st August 1320; chiefly occupied in the investigation of a conspiracy against the king, and the punishment of the conspirators; from which it was long called *the black parliament*.—7. At Berwick, in January 1321.—8. At Perth, 10th July 1321.—9. At Berwick, 7th June 1323, when the *Long truce* with England was ratified.—10. At Scone, in July 1323.—11. At Berwick, 7th November 1324.—12. At Scone, 28th March 1325.—13. At Scone, 26th March 1326.—14. At Cambuskenneth, 5th July 1326: At this parliament an oath of fealty was taken to prince David as heir apparent, and failing him to Robert Stewart, the kings grandson. This parliament is remarkable for the first appearance of representatives from the boroughs in the Scots parlia-

ment; and for the grant of a tenth of all rents and profits of land, *according to the ancient extent*, settled on the king for his life; who granted certain privileges and exemptions to his subjects in return, agreeing not to impose any other duties, and to relinquish some customary imposts.—15. At the Abbey of Holyrood near Edinburgh, 8th March 1327.—16. and *last*, at Edinburgh, 17th March 1328; in which the treaty of peace with England was ratified, and the king granted new letters patent confirming the privileges conceded in 1326 at Cambuskenneth.

A. D. 1329. 7. June.

Of the constitution of the Scots parliament during this period, we have few remaining particulars. In some instances it is described as consisting of the Bishops and other Prelates, the Earls, Barons, and other nobles, and the whole community of the realm. In others, of the Bishops, Abbots, Priors, and other Prelates of Churches, the Earls, Barons, Knights, and the remainder of the community of the realm, as well clergy as laity. We have already seen that the commissioners or representatives of boroughs were admitted in 1326; but we are not sure that this was uniformly continued, and perhaps they were only called when their assent was required to a taxation. In

A. D. 1329. 7 June. the famous Scots parliament held at Birgham in England, on the 17th March 1290, there were present, 12 bishops, including Man, 23 Abbots, and 11 Priors, with 12 Earls, and 51 Barons; or 109 members in all, of whom 63 were of the laity, and 46 of the clergy. During this reign likewise there were held *three* provincial councils, or general assemblies of the Scotican church.—The *first* at Dundee, on the 24th February 1310, which published a declaration of the right of Robert to the throne, similar to that of the parliament in March 1309.—The *second* at Perth, on the 10th July 1321.—And the *third* at Scone, in March 1324.

Of the revenue of the crown of Scotland during this reign nothing particular is known. The following sources of the Royal revenue are enumerated by the learned author of Caledonia *. 1. The *Can*, whence our modern kane, or payments in kind; which seems to have been payable from the produce of hunting, of agriculture, of domestic animals, and from the profits of trade and shipping.—2. Fees and fines arising from the administration of justice.—3. The profits of wards, reliefs, and escheats.—4. The income derived from

* Vol I. p. 747.

the kings demesnes, as manors, mills, and salt-works.—5. The fee farms of the towns and royal boroughs.—6. Temporary aids from the legislature, and feudal payments which the crown was entitled to, for relieving the king from captivity, for making his son a knight, and for portions to his daughters.—7. Customs on trade and shipping. Among the records mentioned in Ayloffes Calendar, there was a roll of various payments in cows, swine, &c. in corn, provisions, and other articles; of the compositions from boroughs, and from bishoprics, of the customs of wool at Berwick, and of the new customs established at that port. The total rents by the old extent, for which the Sheriffs were accountable, are stated at £45,355. 7s. 8d. exclusive of Argyle. This may perhaps have been the amount of the revenue granted to Robert for life, by parliament in 1326, and may be estimated as equal in efficacious value to £800,000 of the present day. All the other sources of revenue may possibly have amounted to nearly as much; from which it may be concluded that the crown revenue towards the close of this reign may have been equivalent to about a million and a half of our present money of account. When it is con-

A. D. 1329. 7. June.

A. D. 1329. 7 June. sidered that the feudal armies of those days served at their own charges, this revenue appears to have been sufficiently ample, for supporting the civil government of the kingdom, and the splendour of the crown *.

There still remain some curious records of the Chamberlain rolls of the reign of Robert, in the National Register office at Edinburgh, from which the prices of some articles of the first necessity may be mentioned, and contrasted with the modern values of these prices, taken at fifteen for one as in some former instances. Thirty-two bolls of wheat cost 52s. or 1s. 7½d. per boll; equal to £1. 4s. 4½d. per boll, or 6s. 1d. per bushel, of our present money. The purchase of 640 bolls of meal cost £40. or 1s. 3d. per boll; equal to 18s. 9d. per boll; and from the price was probably wheaten meal not boulted. For 130 chalders and 8 bolls, 2088 bolls or 8352 bushels, of barley and barley malt together, purchased in 1329 for the use of the Royal establishment at Cardros, the average price was 1s. 6½d. per boll, or £1. 3s. 2½d. in modern money of account per boll, or 5s. 9½d. per bushel. Oats cost 6d. the boll, equal to 7s. 6d. of our

* Caledonia, Book IV. passim.

modern money, or 1s. 10½d. per bushel. For 76 *marts*, or cattle for beef, £32. were paid, or about 8s. 2d. each; equal to £6. 2s. 6d. other 20 *marts* for pasture, probably lean, £5. or 5s. each; equal to £3. 15s.—We may suppose these to have been *kyloes*, or highland cattle, as Cardros was at the entrance into the west highlands. Very little mutton appears to have been purchased for the household. In one instance 5 sheep cost 7s. 6d. or 1s. 6d each; equal to £1. 2s. 6d. On another occasion, 30 sheep were bought for 30s. equal to 15s. each. A cow cost 10s. equal to £7. 10s.—Twenty-six salted salmon cost 18s. or about 8½d. each; equal to near 10s. 6d. The doubtful *milnelli*, formerly mentioned, cost 4d. each; equal to 5s. of modern money of account. In one instance, 56 bolls of oats, when grinded at the mill, were made into 16 bolls of *white* meal, 13 bolls of ordinary meal, and 9¼ bolls of coarse meal; leaving a defalcation of 17¾ bolls. In modern times, from good oats, there ought to be a boll of meal for every boll of oats, besides paying mill-dues; aud we may therefore conclude, either that the oats were very bad in 1329, or that the kings miller took a very heavy toll. Six stones of chalk, for

A. D. 1329. 7 June.

A. D. 1329. 7 June. *painting* a new chamber at Cardros, cost 3s; equal to 7s. 6d. of modern money. For a chalder, or 72 bushels of white lime, applied to a similar use with the chalk, 8s. were paid; equal in modern money to 1s. 8d. the bushel*. Of learning and learned men, in this eventful reign, no records remain; and of the language of the time, at least of the immediately succeeding reign, sufficient examples occur in various quotations from Barbour, which are interspersed in several parts of this work.

* Chamberlain rolls passim.

A. D. 1329.

CHAPTER XXXII.

POSTSCRIPT: *Containing the Adventures of Sir James Douglas, after the Demise of Robert I. to his Death in Battle against the Moors in Spain, 25th August* 1330.

It has been already mentioned, on the authority of Froissart and Barbour, that the king, while on his death-bed, had requested of Sir James Douglas, his long and tried friend and faithful companion in arms, to repair with his embalmed heart to Jerusalem, and humbly to deposit it in the sepulchre of the God and Saviour of mankind; which last honourable service to his beloved master, Douglas faithfully and thankfully engaged to perform. Some authors have ascribed this request to motives of policy in the dying monarch; under an idea that, although Randolph and

A. D. 1329. Douglas had always hitherto exerted their high prowess and great abilities most harmoniously in the public service, while under the direction and command of their sovereign and benefactor, yet emulation and dissension might possibly have arisen between them after his demise. These writers conclude, that the removal of Douglas from Scotland on the impending minority, may be considered as a judicious arrangement for averting the dangers which might have arisen from the possible disagreement of these high spirited and powerful noblemen, equals in merit and popularity, and nearly so in rank and power. When, however, the particular notions of the times are duly considered, in relation to the predicament in which the king had long stood, excommunicated for the perpetration of a sacrilegious murder, and for contumacy to the papal authority, there is every reason to conclude that Robert had seriously intended to conduct a holy expedition into Palestine; that, by honourable and meritorious services against the Saracen enemies of Christianity, he might complete his military glory, and make ample expiation for all his offences. And, being disappointed in the prospect of performing this pilgrimage in person, he re-

quested Douglas to convey his heart to Jerusalem, in public testimony to the Christian world of his sincerely zealous faith and humble penitence.* His great rival, Edward I. twenty-three years before, had made a vow to end his days in the holy warfare of Palestine; clogged, indeed, with the condition of previously taking signal vengeance on Robert, for having revolted against his own usurpation, and for the insults he had committed against God and the church, by the slaughter of Cumyn in a sanctuary. A. D. 1329.

Douglas prepared to execute the last commands of his beloved master: And, for that purpose, he procured a passport or safe conduct from Edward III. for his journey to the Holy-land, in aid of the Christians against the Saracens, and with the heart of the lately deceased king of Scots†. According to Barbour, having settled all his affairs and made his testament, he had the heart of his sovereign inclosed in a silver case curiously enamelled, which he constantly wore suspended from his neck by a silver chain‡. 1 Sept.

Attended by a numerous and splendid retinue of knights and squires, he left Scotland,

* A. of S. II. 146. Barb. XX. 167—186. † Foed. Angl. IV. 400. ‡ Barb. XX. 303—316.

A. D. 1330. June. taking shipping at Berwick. * According to Froissart †, the train of Douglas on this occasion consisted of a knight bearing a banner of his arms, whom Lord Hailes ‡ conjectures to have been Sir William Sinclair of Roslin, seven other knights, and twenty-six esquires, all comely young men of good family, besides many attendants of inferior rank. He sailed in the first place to Sluys in Flanders, where he expected to find companions in his intended pilgrimage. While there, he kept open table on ship board, with trumpets and timbals, as if he had been himself king of Scotland; being magnificently served in gold and silver plate, entertaining all persons of condition who visited him, "with two sorts of wine "and two kinds of spice." §

Barbour makes no mention of the previous voyage of Douglas to Sluys. He only says that he took shipping at Berwick with a noble company of knights and squires; and, sailing betwixt Cornwall and Britanny, he left the Groin of Spain on the north, and came to Seville *the grand* ||.

* Barb. XX. 317—321. † Froiss. I. xxi. ‡ A. of S. II. 149. § Froiss. I. xxi. || Barb. XX. 322.—326.

While at Sluys, Douglas learnt that Alphonso XI. king of Castile and Leon, waged war with Osmyn, the Moorish king or commander of Granada. By mistake, Froissart says Alphonso V. king of Arragon *. But Mariana expressly asserts that the king of Arragon, though joined in alliance against the Moors with the king of Castile, did not bring his troops into the field on the present occasion †. A. D. 1330.

As there was no expedition then on foot for a crusade into Palestine, Douglas eagerly availed himself of the opportunity which now occurred of bearing arms against the enemies of the Christian faith in Spain. In the estimation of the times, this was a holy warfare; and it seemed in some measure to correspond with the purposes of the expedition which he had undertaken. He therefore resolved to visit Spain, and to combat the Saracens in that country; after which he proposed to resume the originally intended pilgrimage to Jerusalem.

During the voyage from Sluys to Seville, through the British channel and bay of Biscay, Douglas encountered very tempestuous wea-

* Froiss. I. xxi. † Mariana, Hist. Hisp. XV. x.

A. D. 1330. Aug. ther; but he landed safely at Seville, where he was honourably entertained *. Soon after landing, king Alphonso sent for Douglas, and received him with great courtesy, offering him abundance of treasure, horses, and armour; but, as he had enough of every thing along with him, he declined the munificent offer, saying, that he came on a pilgrimage against the enemies of God for the good of his soul, and hearing that King Alphonso was at war with the Saracens, he had come to offer his best services †.

There were then in Spain many knights from distant countries, and among them some from England, all of whom honourably greeted the arrival of Douglas, whose fame was well known. Among the stranger knights was one of great renown, whose face was all over disfigured with the scars of wounds which he had received in battle. This person, on meeting with Douglas, expressed his astonishment that a knight of such fame, and who had been in so long and hard service, should have no marks of wounds on his face. Douglas answered mildly, " I thank Heaven that I had always hands to protect my face" ‡.

* Barb. XX. 327—334. † Id. XX. 338—349. ‡ Barb. XX. 363—379.

Soon after the landing of Douglas in Spain, the Christian army came in view of the enemy near Tebas de Hardales, a strong town or castle on the frontiers of Andalusia, towards the Moorish kingdom of Granada *. On this occasion, Barbour says that the king of Castile divided his army into three parts; giving the van to the command of Douglas, with whom all the strangers were joined; while the main body was placed under the command of the Great Master of the order of Saint Jago, and the reserve was under the king in person †. A. D. 1330. Aug.

Osmyn, the Moorish commander, whom Barbour calls King of *Balmeryne*, perhaps from his palace or residence at Almeria ‡, ordered a chosen body of three thousand cavalry to make a feigned attack on the Spaniards, while he took a circuit with the main body of his army, intending to fall unexpectedly on the rear of the Spanish camp. Having received accurate intelligence of the intentions of the Moors, Alphonso opposed a sufficient body of troops to resist the Moorish cavalry, and stood prepared in his camp 25. Aug.

* Mariana, XV. x. † Barb: XX. 397--405. ‡ Id. XX. 393.

A.D. 1330. 25. Aug.

to encounter the main army of the enemy *. The Christian troops, which had been appointed to oppose the attack of the Moorish horse, fought with advantage, and the Moors fled; perhaps with the intention of drawing off the Spaniards from the main attack on the rear of the camp. Douglas is said to have led the van of the Christians on this occasion, and was probably supported by the Grand Master of St Jago. Not having been thoroughly made acquainted with the orders of Alphonso, that this Moorish detachment was not to be pursued far, lest the Spanish army should be divided, Douglas and his companions eagerly pursued the fugitive Moors. Taking the casket from his neck, which contained the heart of Bruce, Douglas threw it before him among the thickest of the enemy, saying, "Now pass thou onward before us, as thou wert wont, and I will follow thee or die." Perceiving the small number of their pursuers, the Moors rallied and renewed the fight. At this time Douglas had not ten of his followers along with him, and was preparing to retreat; but observing Sir William Sinclair environed by a throng of Moors, and in great jeopardy,

* Mariana, XV. x.

he valiantly determined to rescue him. Accordingly, he and his small number of companions made a furious charge for this purpose: But they were environed and overwhelmed by vastly superior force and numbers of their enemies, who were near twenty to one, and Douglas was slain. Along with him fell Sir William Sinclair, and Sir Robert and Sir Walter Logan *. A. D. 1330. 25. Aug.

A small number of the surviving companions of Douglas found his body in the field of battle, together with the casket containing the embalmed heart of Bruce, and reverendly conveyed both into Scotland under the charge of Sir William Keith; who, having had his arm broken some days before, was detained from being present in this battle †.

The heart of the King was buried at Melrose Abbey by the Earl of Moray: And the remains of the valiant Douglas were interred in the sepulchre of his ancestors in the church of Douglas; where his natural son, Archibald, erected an alabaster or marble monument to his memory ‡. "But his countrymen have more effectually perpetuated his name, by

* Barb. XX. 410—474. † Id. XX. 481—495.
‡ Id. XX. 585—590.

A. D. 1330. bestowing upon him the appellation of *The Good Sir James Douglas* *."

In two different parts of his work, Barbour has given a character of the good Sir James Douglas. This, though rude, is written by the hand of a master; and having been composed not long after the death of that valiant champion of Scots freedom, and most faithful subject and gallant soldier of his heroic and grateful sovereign, merits insertion at full length. The former portion of this portraiture is given by Barbour at the first appearance of this hero on the stage of history, when he joined the king immediately after his revolt; the latter part, after relating the close of his glorious career.

"All men luffyt[a] hym for hys bounté;[b]
For he was of full fair effer,[c]
Wyse, curtais, and deboner,[d]
Larg[e] and luffand[f] als wes he,
And our all things luffyt[a] lawté[g] †!'

* A. of S. II. 151. † Barb. Br. I. 360—364.

[a] loved. [b] goodness. [c] handsome appearance. [d] affable. [e] munificent. [f] kind. [g] loyalty in its largest chivalric sense.

After a digression of ten lines, on the nature and excellence of loyalty, he thus proceeds :— A. D. 1330.

"He wes in all his dedis so lele,[a]
For hym dedeyneit[b] note to dele
With trechery nor with falset.[c]
Hys hart on hey honour wes set:
And hym contentyt[d] on sic maner,
That all hym luffyt* that war hym ner.
But he wes not so fayr, that we
Suld spek gretly off hys bewté:
In weysage wes he sum deill gray,[e]
And had black har as I hard say;
But off lymys[f] he wes weill maid,
With banys[g] gret, and shuldrys braid.
Hys body weill maid and lenye[h]
As thai that saw hym said to me.
Quhen[i] he wes blyth[k] he was luffly,[l]
And meyk and sweyt in cumpany.
Bot quha[m] in battail mycht hym se
Another cuntenance had he.

[a] loyal and true. [b] deigned. [c] falsehood or guile. [d] behaved so. * loved. [e] His complexion was considerably gray or dark. This seems to have been characteristic in the family, long known by the name of the *black* Douglas. [f] limbs. [g] large bones. [h] lean. [i] when. [k] merry. [l] lovely. [m] who.

A. D. 1330.

And in spek ulispyt he sum deill,[b]
Bot that sat[c] hym rycht wondre weill." *

Barbour ends this former part of the character of Douglas, by a comparison or parallel with that of Hector, the champion of Troy. The following, or latter part of the character, is given after the relation of his death:—

For he was sweyt and debonar,[d]
And weill couth[e] tret hys frendis far;
And hys fayis[f] rycht felounnly[g]
Stonay,[h] throw hys gret chewalry;
The quheyr[i] of littil affer[k] wes he.
Our all thing[l] luffyt[m] he lawté:[n]
At treason growyt[o] he sa gretly,
That na traytor mycht be hym by,
That he mycht wyt,[p] that he ne sauld lie
Weill punyst off hys cruelté."[q] †

Next follows a long digression, on the fidelity, loyalty, and honour of the Roman

* Barb. Br. I. 375—394. † Id. XX. 510—520.

[b] He lisped a good deal in speaking. [c] Was wonderfully becoming. [d] pleasant and affable. [e] knew well to act kindly by his friends. [f] enemies. [g] very terribly. [h] astonish, or dismay. [i] in which. [k] he had little fear. [l] above every thing. [m] loved. [n] loyalty. [o] shuddered, held in abhorrence. [p] know of. [q] crime.

General Fabricius; which, before proceeding to close the character of Douglas, he thus excuses :— A. D. 1330.

"Hys honest leawté [a] gert [b] me bring
In this ensample her, [c] for he
Had souerane price [d] of leawté" :
And swa [e] had the Lord off Dowglas;
That he wyst [f] lele [g] and worthy was,
That wes ded, [h] as before said we:
All menyt [i] him, strang [k] and priué." *

According to Fordun, Douglas was thirteen times defeated in battle, and fifty-seven times victorious †. Yet Hector Boyce, though he had the works both of Fordun and Barbour before him, when he composed the farago of falsehood and forgery which he has called the History of Scotland, unblushing relates, that Douglas, after having deposited the heart of his beloved sovereign in the Holy Sepulchre at Jerusalem, waged war in Palestine against the Saracens, over whom he gain-

* Barb. Br. XX. 562—568. † Ford. XIII. xxi.

[a] honourable loyalty. [b] caused. [c] here. [d] praise. [e] so, or such. [f] known. [g] loyal. [h] dead. [i] bemoaned. [k] both the powerful, or the great, and the people or commons.

A. D. 1330. ed many victories; and that on his way homewards, being driven by a tempest upon the coast of Spain, he there died in battle *.

The origin of the illustrious family of Douglas has been long involved in almost impenetrable obscurity, and was first clearly explained and deduced, from authentic records never before accurately noticed, in the first volume of Caledonia. The following abridged account of the deduction contained in that work seems sufficient for the present occasion, which does not warrant any farther investigation of the subject.

1. Theobaldus Flamaticus, or Theobald the Fleming, for certain services which are not explained, performed by him to Arnold, who was abbot of Kelso from 1147 to 1160, received a grant of some lands on Douglas water in Lanarkshire from that prelate, to himself and his heirs; and some other lands on the same stream were granted by a subsequent abbot of Kelso to the descendants of Theobald †.

* Boece, XV. 311. † Caledon. I. 579.

From this obscure person and this small beginning, the family afterwards rose to a pitch of power and splendour beyond all others in Scotland, except the Stewarts, insomuch as often to have proved formidable and dangerous rivals to the crown. 2. William, the son and heir of Theobald, assumed the surname of *Duvglas* from his estate. 3 Archibald de Douglas, his eldest son, succeeded in the family estate on Douglas water. Bricius, a younger son of William, became bishop of Moray in 1203; and his four brothers, Alexander, Henry, Hugh, and Freskin, settled in Moray under his patronage, from whom the Douglases in Moray were descended. Archibald died between 1238 and 1240, leaving two sons. William who carried on the family of Douglas, and Andrew the ancestor of the Douglases of Dalkeith, who afterwards becmae Earls of Morton *. 4. William, eldest son and heir of Archibald, acquired additional lands, and became a tenant in chief of the crown, by which he came to be ranked among the barons or magnates of Scotland †. He succeeded to his father about 1240 or

A. D. 1230.

* Caledon. I. 580. † Id. I. 581.

A. D. 1330. earlier, and died about 1276, leaving two sons, Hugh and William. 5. Hugh fought at the battle of Largs in 1263, and died about 1288 without issue. 6. William, his only brother, succeeded, and died in England about 1302 *. 7. The great and good Sir James, his eldest son, succeeded, and added largely to the possessions and reputation of the family. He seems never to have been married; at least he left no legitimate issue. 8. Hugh, his next brother, succeeded in the family estate; but from some defect or imbecility in body or mind, he does not appear to have taken any part in the important transactions of his age and country, and died childless. 9. He was succeeded by his next brother, Archibald, usually known by the sobriquet of Tineman, who became regent of Scotland, and was slain in 1333 at the fatal battle of Halidon-hill. 10. William, his son, succeeded, and was created *first* Earl of Douglas by David II. in 1357.

The good Sir James left a natural son, William, who received a grant of the lands of Polbothy in Moffatdale, from king Robert. In the subsequent troubles, he re-

* Caledon. I. 583.

covered the castle of Hermitage and the territory of Lidisdale from the English, and became known by the appellations of the *Knight of Lidisdale* and the *Flower of Chivalry*. But he sullied the immaculate honour he inherited from his father, and the fair fame of his own prowess, by entering into treacherous engagements with Edward III. as the price of his own liberty. He was slain in 1353, while hunting in Etterick forest, by order of Sir William Douglas, his fathers nephew and his own God-son. Though married, he left no issue, or at least no son, and Lidisdale became the property of Earl William*. A. D. 1330.

* Caledon. II. 117--121.

APPENDIX.

THE following important public deeds are copied from the PARLIAMENTARY RECORDS OF SCOTLAND, *Vol.* I. where the record in which they are contained has been rather incongruously placed as a supplement to PART I. though of much earlier date than any of the writings which constitute that part. Of this most ancient record, now belonging to Scotland, the following account is given in an advertisement prefixed to that part of the volume in which it is placed.

" This ancient Book of Record, before being bound in its present form, appears to have consisted of seven or eight, perhaps more, different parts; and, either before being bound, or since, it seems to have suffered various mutilations. In the binding, too, either through

ignorance or carelessness, or both, some of the leaves have been misplaced; and a few of the instruments have evidently been engrossed on pages originally left blank, by which means they are not all in their proper chronological order. In the printing this confusion has been corrected, and the various instruments are printed in the order which their respective dates require.

"On the whole, all the circumstances attending this very curious book seem to point it out as the first attempt to writing the Records of Scotland *in the form of books*—a regulation, in various respects, preferable to that of rolls; and which, therefore, in Scotland received parliamentary sanction in the year 1469.

"This record was discovered in the State-Paper-Office at London, and, on examination, was found to be the most ancient book of Scottish record now known to exist, and in every respect so curious and important, that the Lord Clerk Register, Lord Frederick Campbell, thought it incumbent on him to endeavour to recover it, for the purpose of its being preserved in the records of that part of the kingdom to which it incontestibly appeared to have belonged. For this purpose, a petition was presented to his Majesty, who was graciously pleased to order the manuscript book to be removed from the State-Paper-Office, with which it had no connexion, and to be delivered to the Lord Register of Scotland, that it might be deposited in the General Register House at Edinburgh, for the preservation of the public records belonging to that part of the kingdom.

"This manuscript book having been brought by the Lord Register to Scotland in November 1793, it was judged proper that it should be submitted to the examination of the Supreme Court of that country, in order to its receiving the sanction of that court. Accordingly, in the month of December 1793, a committee of the Judges was, in consequence of a petition presented to the court, appointed to inspect the manuscript, and to report their opinion; who reported, "*That the book is an authentic record of writings, public and private, relative to Scotland.*" Whereupon the court made the following resolution, to-wit:

"Approve of the report; and appoint the manu-
"script to be lodged among the other public records
"in the custody of the Lord Clerk Register and his
"deputies; and request the Lord President of this
"court to return thanks to the Right Honourable
"Lord Frederick Campbell, Lord Clerk Register for
"Scotland, for the trouble which his Lordship has
"taken in recovering to the public so valuable a book
"of the ancient records of this country," &c.

["Index of many records of charters, printed under the authority of the Lord Clerk Register at Edinburgh in the year 1798, pages 4th and 5th of the Preface—and Acts of Sederunt of the Court of Session for the month of Decmeber 1793."]

Note.—These records are written throughout entirely without points, and are so printed in the Parliamentary Records of Scotland.

No. I.

*Treaty of Corbeil**.

A°. 1326. CHARLES par la grace de Dieu roy de France et de Navarre a tous ceulz qui verront et orront ces presentes lettres salut Comme entre les autres choses par lesquelles les roys regnent et Royalmes sont gouvernez convenable chose et necessaire soit que princes s'allient ensemble par lieu d'amstie et de bienveuillance pour les grefuances de ceuz qui grefuer les vieullent plus enforciement refraindre et la tranquilite de euz et de leur subjiez plus paisiblement pourchacier nous aiens a ce et voulenz croistre l'amitie et la beneveuillance qui a este de long temps entre noz predecesseurs roys de France et nostre royalme et entre les roys d'Escoce et le dit royalme d'Escoce avecq noble prince Robert par la grace de Dieu roy d'Escoce nostre ami especial encontre le roy d'Engleterre les qui predecesseurs souventes foiz se sont penez de grever les ditz royaulmes de France et d'Escoce en maintes manieres par ses procurateurs et messages cest assavoir Thomas Ranulph Conte de Moreff Seigneur de Val d'Enand et de Manne maistre Jaque Ben archidiacre de Saint Andre sire de

* Parl. Rec. of Scotl. I. 84.

loys Adam de Moureff maistre de decrez et Wautier de Tvyname chanoine de Glaigv aiens especiel pouoir a ce faire en cest forme Universis presentes literas inspecturis Robertus Dei gratia rex Scotorum salutem nouerit vniversitas vestra quod nos fecimus constituimus et per presentes ordinamus dilectos et fideles nostros Thomam Ranulphi comitem Morauie dominum Vallis Annandie et Mannie nepotem nostrum karissimum Robertum de Keth marescallum Scocie magistros Jacobum Ben archidiaconum Sancti Andree legum professorum Adam de Morauia decretorum doctorem et Walterum de Tvnyham canonicum ecclesie Glasgvensis procuratores nostros et nuncios speciales ad tractandum cum serenissimo principe domino Karolo Dei gracia Francie et Nauarre rege illustri super quibuscumque confederacionibus inter ipsum heredes suos proceres et regnicolas regni sui ex una parte et nos et heredes nostros et nostros proceres et regnicolas regni nostri ex altera in eundis dantes eisdem et dicto comiti cum quatuor tribus duobus aut vno eorundem pleanam generalem et liberam potestatem et speciale mandatum cum eodem serenissimo principe seu quisbuscumque status conditionis aut dignitatis existant tractandi paciscendi firmandi et vallandi nomine nostri et regni nostri quascumque confederaciones obligaciones et pacta quibus inter eundem regem illustrem heredes suos proceres et regnicolas regni sui perpetue confederacionis et amicicie secura firmitas poterit concordari ratum et gratum habentes et habituri pro nobis heredibus nostris proceribus et regnicolis regni nostri quicquid iidem aut dictus comes cum quatuor tribus duobus aut vno eor- A°. 1326.

A°. 1326. umdem cum eodem domino rege vel eius potestatem habentibus faciendum duxerit in premissis In cujus rei testimonium presentibus literis sigillum nostrum precipimus apponi datum apud Dunde vicesimo die Aprilis anno Domini milesimo tricentesimo vicesimo quinto et anno regni nostri vicesimo Auons fait alliance en la manere qui sensuit cest assauoir que nous noz hoirs et noz successeurs roys de France nostre royaulme et toute nostre communaute sommes obligiez et liez au dit roy d Escoce ses hoirs ses successeurs roys d Escoce son royaume et toute sa communaute en bonne foy comme loyaulx alliez a ce que toutes les foys qu'il auront a faire d'aide ou de conseil en temps de pais ou de guerre encontre le roy d Engleterre ses hoirs ses successeurs roys d'Engleterre et ses subjiez que nous leur aiderons et conseillerons en ce que nous pourrons bonnement comme loyaulx alliez et se nous no hoirs nos successeurs roys de France nostre royaulme ou nostre communante faisons pais ou prenons trieues avecq le roy d Engleterre ses hoirs roys d Engleterre et ses subgiez que le roy d Escoce ses hoirs ses successeurs roys d Escoce son royalme et ses communautez soient horspriz si que celle pais ou trieue soit null se gerre sourt entre les deuant dix roys d Escoce et d'Engleterre et se le roy d'Escoce ses hoirs ses successeurs roys d Escoce son royalme et sa communaute faisoient pais ou preissent trieues auecq le roy d' Angleterre ses hoirs roys et successeurs et ses subgiez que nous nos hoirs nos successeurs roys de France nostre royalme et toute nostre communaute soions forsprins si que celle pais ou trieue soit nulle se la guerre sourt entre nous et le dit roy

d Angleterre et sont les diz roys d'Escoce ses hoirs ses successeurs roys obligiez a nous nos hoirs roys a nostre royalme pour guerroier le roy d'Angleterre a tout leur pouoir se guerre sourt entre nous et le roy d'Angleterre le trieues entre les diz roys d'Escoce et d'Angleterre ia prises et pendans en quelconque maniere finies et toutes ses choses et chascune d'ycelles fermement garder et chascune parfourmer promettons en bonne foy as diz procurateurs en nom procuratoire du dit roy d'Escoce et pour luy nous nos hoirs nos successeurs roys nostre royaulme et toute nostre communaute en la maniere dessuz dite fermement obligans et pour les dites choses et chascunes dycelles fermement garder et entierement acomplir tout comme elles nous touchent no hoirs no successeurs roys et nostre royalme touchent ha nostre ame et feal cheuailler Guy chemperior jure en nostre presence en l'ame de nous sus saintes avengilles de nostre commandement et ce serement en lame du dit roy d'Escoce pour luy ses hoirs ses successeurs et son royalme a fait le dit conte de Murref neueu du dit roy d'Escoce en nostre presence par especial commission qui'l auoit a ce fair dont la forme est telle Vniversis Christi fidelibus ad quorum notitiam presentes litere peruenerint Robertus Dei gracia rex cottorum salutem in Domino sempiternum noueritis nos per presentes literas dedisse pleniarum potestatem et speciale mandatum Thome Ranulphi comiti Morauie et domino Vallis Anandie et Maunie nepoti nostro karissimo ad jurandum in animam nostram super quibuscumque confederacionibus obligacionibus seu pactis inter serenissimum principum dominum Karolum Dei A°. 1326.

A°. 1326. gracia Francie et Nauarre regem illustrem heredes suos proceres et regnicolas regni sui ex una parte et nos heredes nostros proceres regnicolas regni nostri ex altera finitus ineundo et quicquid dictus comes jurando in animam nostram in dicto negocio firmauerit nos ratum et firmum perpetuo habituros promittimus bona fide In cujus rei testimonium presentibus literis sigillum nostrum precepimas apponi datum Et pour se que ceste chose soit ferme et estable on temps auenir nous auons fait metre nostre seel en ses presentes lettres donne a Corbeuil lan de grace mil trois cens xxvi on mois d'Auril.

[*Here there is a blank in the Record, of nearly half a page, after which two leaves seem to have been cut out.*]

No. II.

*Warrant by Edward III. to Ratify the Peace with Scotland**.

EDWARDUS Dei gracia rex Anglie dominus Hibernie et dux Aquitanie dilectis et fidelibus suis Henrico de Percy et Willielmo la Souche de Asseby salutem cum per cartam sive literas nostras patentes concesserimus magnifico principi domino Roberto Dei gracia regi Scottorum quo habeat regnum Scocie per suas rectas marchias prout temporibus bone memorie Alexandri regis Scocie vltimo defuncti fuerunt habite et seruate et jus si quod nos vel antecessores nostri in regno Scocie retroactis temporibus petierimus vel petierint quoque modo eidem domino regi Scotie renunciauerimus nos de fidelitate vestra et circumspectione prouida plenius confidantes ad firmandum et vallandum omnia et singula in dicta carta siue literis contenta per juramentum in animam nostram prestandum vobis et alteri vestrum tenore presencium committimus potestatem ac speciale mandatum et hiis omnibus et singulis quorum interest vel interesse poterit innotescimus per presentes literas nostras patentis sigilli nostri munimine roboratas Datum apud Eboracum primo die Marcii anno regni nostri secundo et sic signatur A°.1327-8.

Per ipsum regem et consilium in parliamento

* Parl. Rec. of Scotl. I. 85.

No. III.

Tractatus Pacis Firmatæ.*

A°. 1328. *cello sic.* Edward par la grace de Dieu roy d'Angleterre signeur d'Irlande et duc d'Aquitaine a touz ceus qui ces lettres uerront ou orront salutz sachez nous avoir veu et regarde les lettres patentes endentees faites entre le tres excellent prince Robert roi d Escoce d'une part et noz messages et procureurs subzescripts d'autre part en la forme qui censuit cognue chose soit a touz ceux qui ces lettres uerront que le dys et septieme iour de Mars
17 March 1328 †. l'an de grace mil trois cenz vint et septieme selont le cours de lyglise d Angleterre entre le tres excellent prince Robert par la grace de Dieu roi d Escoce dune part et les honorable peres en Dieu Henri par la sueffrance de Dieu euesque de Nicole Williame par mesme la sueffrance euesque de Norwyc Henry de Percy Williame la Souche de Assheby et Geffroy le Scrop messages et procureurs par especial commission de tresexcellent prince Edward par la grace de Dieu roi d'Angle-

* Parl. Rec. of Scotl. I. 85.

† This marginal mark is in a character of writing much more modern than that of the text.

terre seigneur d'Irlande et duc d'Aquitaine a traiter sur pes final et a la dit pes affermer et asseurer entre le dit roy d Angleterre et lauant dit roi d'Escoce sur guerres meues entre les royaumes d'Angleterre et d Escoce dautre part traitees et accordees furent les choses souz escriptez en la forme souz escriptez cest assauoir que bonne pes finale et perpetuele soit entre les diz rois leur hoirs et successeurs et leur roiaumes et terres et entre leur souzmis et peuples d'une part et dautre selont la forme qui sensuyt et a lasseurance et fermance de celle pes est traite et accorde que entre Dauid filz aysne et hoir le dit roy d Escoce et Jehanne suer de lauant dit roy d'Angleterre qui on quore sont de si tendre aage quilz ne puent contracter de matrimonie mariage se face a plus tost que deuement se pourra faire et a lasseurance du dit mariage est fait serement en les ammes des diz rois par les personnes dessouz nommees et des prelaz et autres grans du roiaume d Escoce et que lauant dit roy d Escoce doit donner et assigner a la dite Jehanne en Lieus conuenables dedanz son roiaume d'Escoce deux mile liurees de terre et de rente per an per resnable extente a avoir avecq fiez de chivaliers auoessons des eglises et toutes autres franchises apurtenanz a celle terre a terme de la vie la dite Johanne sauuees au dit roy d Escoce ses hoirs et successeurs auoessons d'abbies priourees et hospitaux et les droiz de sa coronne ensuit que se le dit Dauid apres le dit matrimonie fait deuie viuant la dite Jehanne que mesmes les ii m liurees deux de terres auecques les dites appurtenances demoergent a la dite Jehanne a terme de sa vie on nom de douaire si q'uelle ne puisse A°. 1328.

A°. 1328. demander autre dovaire Et que de tel don et assignement lauant dit roy d Escoce donra ses lettres patentes generales et auant la feste de lascension prochain auenir fera ensuit extendre celle terre en presens de ceux qui le dit roy d'Angleterre voudra pour sa dite suer a ce deputer et apres celle extente faite le dit roy d Escoce fera faire ses chartres auant la dite feste des parcelles extendues et nomees en deue forme pour terme de la vie la dite Jehanne et liurer les mesmes chartres et la saisine des dites terres a les diz deputez par le dit roy d Angleterre et se par cas Dieu fait sa volente de la dite Jehanne auant que le dit mariage feust afferme ou accompli que adonques le dit roy d Angleterre ses hoirs et successeurs aient le mariage le dit Dauid pour autre plus prochaine et conuenable de leur sanc et que celle a qui il sera ensuit mariez ait les dites ii m liurees de terre a terme de sa vie en nom de dovaire en la forme sus dite et se per cas Dieu fait sa volente du dit Dauid auant le dit mariage afferme ou accompli que adonques le dit roy d Angleterre ses hoirs et successeurs aient le mariage de loir masle prochain de lauant dit roy d Escoce pour la dite Johanne se la loy de sainte eglise le sueffre ou que le pape le pourra et voudra fair par dispensacion Et en se cas les diz roys leur hoirs et successeurs iointement trauailleront pour celle dispensacion pourchacer Et se ne ce pourra faire en la personne la dite Jehanne par aucune cause que a donques ce mariage soit fait auec autre du sanc du dit roy d Angleterre plus prochaine et conuenable Item il est traite et accorde que la dite Jehanne vendra en Escoce a Berwyc sur Tvede de le xvme iour de Juyl

prochain auenir et ylecques sera baillee au dit roy d'Escoce ou a cely ou ceux qui'y vendront de par ly Item il est traite et accorde queu cas que Dieu fait sa volente du dit Dauid auant le matrimonie afferme ou acompli que la dite Jehanne sanz destourbance ou empeschement puisse demourer et retourner au dit roy d Angleterre son frere selon ce quil plaira au dit roy son frere et a ly sensuit naueigne q'elle soit enceinte en quel cas elle ne passera hors du roiaume sanz congie du roy et du baronage Item il est traite et accorde que les diz rois leur hoirs et successeurs seront bons amis et loyaux alliez et que les vns ayderont aus autres conuenablement comme bons alliez sauue de par le dit roy d Escoce lalliance faite entre ly et le roy de France mais sil aueigne que le dit roy d Escoce ses hoirs ou ses successeurs par cause de la dite alliance ou par aucune autre quelconque cause face guerre au dit roy d Angleterre ses hoirs on [*ou*] ses successeurs que le dit roy d Angleterre ses hoirs et ses successeurs puissent guerroier lauant dit roy d Escoce ses hoirs et ses successeurs neant contre estant le pes quore se faict entre eux ne chose que y soit contenue Item il est traite et accorde que se nul lieue de guerre en Hirlande contre le dit roy d Angleterre ses hoirs ou ses successeurs que lauant dit roy d Escoce ses hoirs et ses successeurs ne en aideront as les anemiez le dit roy d Angleterre Auxi est il traitie et accorde que se nul lieue de guerre contre lauant dit roy d Escoce ses hoirs ou ses successeurs en l'ysle de Maune ou es autres ysles d'Escoce que le dit roy d Angleterre ses hoirs et ses successeurs ne en A°. 1328.

A°. 1328. ayderont as ditz enemiz Item il est traite et accorde que touze scrips obligacions instrumenz et autres munimens taichanz la subiection de genz ou de la terre d Escoce au roy d'Angleterre les quiex sont annullez et deffaiz par les lettres le dit roy d'Angleterre et tous autres instrumenz et priuilieges touchanz la franchise d Escoce qui pourront estre trouuez en bonne foi deuers le dit roy d'Angleterre soient renduz et restituez a lauant dit roy d'Escoce au plus tort quilz pourront bonnement selon se quilz seront trouuez ensuit que de celle liuree soit fait endenture de chascun escript obligacion instrument et muniment qui sera liure Auxi il est traite et accorde que en cas que la dite lettre du dit roy d Angleterre par la quelle les ditz escriptz obligacions instrumenz et munimenz sont defaiz et annulez deust estre nulle et restitute au dit roy d'Angleterre que a donques touz escris obligacions instrumens et munimens ensuit liurez au dit roy d Escoce par endenture soient restituez et rebaillez au dit roy d'Angleterre ses hoirs ou ses successeurs sanz contredit du dit roy d'Escoce ses hoirs ou ses successeurs Item il est traite et accorde que le dit roy d Angleterre aidera en bonne foy que les proces se nulz sont faiz en la court de Rome et ailleurs par auctorite nostre saint pere le pape contre le dit roy d Escoce son royaume et ses souzmis clers ou lais soit rapellez auecque leur effect Et a ce faire et accomplir il enuoira ses lettres especiales de priere au pape et as cardinaulz Item traite est et accorde que quomment que le dit roy d'Escoce prelaz et autres granz de son royaume soient obligiez au dit roy d Angleterre en vint mile liures desterlings a paier en

iij ans a iij terms a Tvedemouth Et de ce paiement ensuit faire se soient souzmis a la iurisdiction de la chambre le pape sicomme en les lettres patentes du dit roy d Escoce et des autres prelaz et granz de son royaume et instrument publique de ce fait est plainement contenu Neantmoyns les diz messages et procureurs du dit roy d ngleterre en nom de ly vuelet et grauntent per certaines raysons que nulle execucion condempnacion ne denunciacion se face par nul juge de la chambre le pape contre le dit roy d Escoce ne les autres obligiez deuant la fin de ij mois apres chescun des diz iij terms Item il est traite et accorde que les lois des marches entre les diz royaumes soient bien gardees et que redde droit et justice soit fait des trespas qui en sourdront de vne part et dautre et se per cas defaute soit trouuee en les lois de la marche ou debat sourde qui ne puit estre termine par les ministres les rois soient reportez aus diz rois et per eux et leur conseux ou ceux qulz voudront deputer d'une part et dautre soient redressez et amendez Item les diz messages et procureurs ont proumis et enpris en bonne foy on nom du dit roy d'Angleterre quilz toutes les choses susescriptes et souz escriptes par ses lettres patentes seelees de son seel pour ly ses hoirs successeurs et souzmis ratifiera approuvera et confirmera et les dites lettres en Escoce enuoiera et dedanz l'ascension prochain auenir au maire de Berwyc les fera liurer Et est lentencion du dit roy d'Escoce et des auant diz messages et procureurs le dit roy d'Angleterre que par les traities q'uore se font nulle maniere de preiudice soit fait au droit de saint eglise en l'un royaume n'en l'autre et

A°. 1328. sur lassurance du dit mariage a monsieur Hue conte de Rosse en la presence du dit roy d Escoce et par especial commandement de luy et en sa aime et a garder tenir et accomplir en bonne foy sanz venir a lencontre toutes les choses sus dites et chascune dycelles a monsieur Robert de Lawedre justice de Laonnoys en la presence mesmes cely roy d Escoce et par especial commandement de ly en sa alme fait seremens a saintes evangiles Et sur l'asseurance du dit mariage et a garder tenir et accomplir en bonne foy sanz venir a l'encoutre toutes les susescriptes choses susdites et chascune dycelles si a le dit monsieur Henri de Percy on nom du dit roy d Angleterre et par especial poor de ly et en sa aime fait serement as saintes evangiles Et nous Robert par la-grace de Dieu roy d Escoce toutes les choses susescriptes a nous monstrees et chascune d'icelles agreons ratifions et approuons pour nous et pour noz hoirs et noz successeurs et pour noz souzmis sanz venir jamais a lencontre En tesmoing des quelles choses a l'une partie de ceste endenture demourant vers les diz messages et procureurs auons fait metre nostre seel et nous auant diz messages et procureurs a l'autre partie de mesme lendenture demourant vers le dit roy d Escoce auons miz noz seaux Done a Edynburgh le xvii me iour de Mars l'an de grace m. trois cenz vint et septieme susdit nous toutes les choses susescriptes et chascune d'ycelles agreons ratifions et approuuons pour nous noz hoirs et noz successeurs et pour noz souzmis sanz venir jamais a lencontre Donne a Northampton le quart jour de May lan de nostre regne secont—*Et signabatur de litera dissimili sic per ipsum regem et totum consilium*

No. IV.

*Engagement of Robert I. to contract marriage between Prince David, and the Princess Johanna of England *.*

EDWARDUS Dei gracia rex Anglie dominus Hibernie et dux Aquitanie omnibus ad quos presentes literas peruenerint salutem Noveritis nos inspexisse literas patentes indentatas factas inter magnificum principem Robertum regem Scottorum ex parte una et nuncios et procuratores nostros subscriptos ex altera sub hac forma [universis pateat per presentes quod anno domini ab incarnatione eiusdem secundum cursum ecclesie Anglicane millesimo trecentesimo vicesimo septimo inter excellentissimum principem dominum Robertum Dei gracia regem Scottorum illustrem ex parte vna et venerabiles patres Henricum permissione divina Lincolniensem Willielmum eiusdem permissione Norvicensem episcopos ac nobiles viros Henricum de Percy Willielmum la Zouche de Asseby et Galfridum le Scrop procuratores et nuncios excellentissimi principis et domini Edwardi Dei gracia regis Anglie illustris ad tractandum cum dicto domino rege Scocie vel ab A°. 1328.

* Parl. Rec. of Scotl. I. 86

A°. 1328. ipso deputandis super finali pace de guerris hinc inde inter eos motis reformanda et ad pacem per ipsos tractatam et concordatam vallandum et firmandum modis et viis quibus viderint expedire specialiter destinatos ex altera in forma subscripta convenit videlicet quod predictus dominus rex Scotie de consensu prelatorum comitum baronum et aliorum procerum ac communitatum regni Scocie in parliamento suo pro dampnis vexationibus et laboribus predictorum regnorum Anglie et Scocie vitandis fateur se obligatum esse et se soluturum promittit prefato domino regi Anglie in centum miibus librarum sterlingorum soluendis eidem domino regi Anglie heredibus vel successoribus suis apud Tvedemouth in festo sancti Michaelis anno domini millesimo trecentesimo tricesimo octavo sine vlteriori dilatione et ad eandem pecuniam dictis die et loco soluendam obligat se dictus dominus rex Scocie heredes et successores suos et de consensu prelatorum comitum baronum et aliorum procerum ac communitatum predictorum vult et concedit pro se heredibus et successoribus suis quod si heredes vel successores sui in solutione dicte pecunie sic facienda defecerint quod tunc litere patentes dicti domini regis Anglie (quarum quidem literarum tenor talis est Universis presentes literas inspecturis Edwardus Dei gracia rex Anglie dominus Hibernie et dux Aquitanie salutem in domino sempiternam cum nos nonnullique predecessores nostri reges Anglie jura regiminis dominii seu superioritatis regni Scocie conati fuerimus optinere ob hoc quod motarum clira guerrarum discrimina Anglie et Scocie regna diucius afflixissent nos attendentes cedes occisiones

scelera ecclesiarum destructiones et mala innumerabilia Ao. 1328.
que huismodi occasione guerrarum regnicolis utriusque regni multipliciter contingebant bonaque quibus regnum vtrumque mutuis compenctiis habundarent perpetue pacis stabilitate connexum ac per hoc contra conatus noxios rebellare uel impugnare volencium internis vel externis maiori firmitate securum volumus et concedimus per presentes pro nobis heredibus ac successoribus nostris quibuscunque de communi concilio consensu et assensu prelatorum et procerum comitum et baronum ac communitatum regni nostri in parlemento nostro quod regnum Scocie per suas rectas marchias prout temporibus bone memorie Alexandri regis Scocie vltimo defuncti fuerunt habite et seruate magnifico principi domino Roberto Dei gracia regi Scottorum illustri confederato et amico nostro karissimo suisque heredibus et successoribus divisum in omnibus a regno Anglie integrum liberum et quietum remaneat inperpetuum absque qualicunque subiectione seruitute clameo vel demanda et si quod ius nos vel antecessores nostri in regno Scocie retroactis temporibus petierimus vel petierint quoque modo prefato regi Scotie heredibus et successoribus suis renunciamus et dimittimus per presentes omnes autem obligationes conventiones et pacta initas vel inita qualitercunque cum nostris predecessoribus quibuscunque temporibus super subjectione regni Scocie vel incolarum eiusdem per quosqunque reges vel incolas clericos vel laicos ipsius regni Scocie pro nobis heredibus et successoribus nostris remittimus penitus et omnino et si que litere carte vel munimenta

A°. 1328 vel instrumenta reperiantur de cetera vbicunque super huismodi obligationibus conventionibus et pactis confecte vel confecta pro cassis irritis inanibus et vacuis habeantur nulliusque valoris esse volumus vel momenti et ad premissa omnia et singula plene pacifice et fideliter perpetuis temporibus obseruanda dilectis et fidelibus nostrus Henrico de Percy consanguineo nostro et Willielmo la Souche de Assebye et eorum alteri ad sacramentum in animam nostram inde prestandum per alias literas nostras patentes plenam dedimus potestatem et mandatum speciale In cuius rei testimonium has literas nostras fieri fecimus patentes (Datum Eboraci primo die Martii anno regni nostri secundo) et omnia et singula in eisdem literis contenta eo ipso irrita sint et inania ac nullius penitus momenti et quod pro nullis in quibuscunque curiis seu locis aliis habeantur et quod eedem litere eidem domino regi Scocie heredibus vel successoribus suis et incolis regni sui nullatenus valeant nec commodum aliquot afferant in judicio vel extra aut dicto domino regi Anglie heredibus vel successoribus suis aut incolis regni sui aliquod preiudicium quominus omnia et singula super pace predicta concordata add eundem per omnia statum redeant quo ante confectionem predictarum literarum fuerunt et prefatus dominus rex Scocie heredes vel successores sui omnes literas predictas quarum tenor superies recitatur sicut predictum est prefato domino regi Anglie heredibus vel successoribus suis restituere teneantur et restituant cum effectu et tunc dictis literis sic annullatis et redditis predictus dominus rex Anglie heredes vel successores sui de predictus centum milibus liblarum quicquam

exigere non valeant et predicti procuratores et nuncii A°. 1328.
vice et nomine dicti domini regis Anglie et virtute potestatis eis in hac parte tradite volunt et concedunt pro eodem domino rege Anglie heredibus et successoribus quod si inter Dauid filium primogenitum et heredem predicti domini regis Scocie et Johannem sororem dicti domini regis Anglie infra annos nubiles adhuc existentes infra spacium sex mensium a tempore quo ad annos nubiles peruenerint matrimonium contrahatur vel si per dissensum aut aliud factum ipsius Dauid non steterit quominus dictum matrimonium tunc contrahatur vel si forsitan ex aliqua causa matrimonium inter predictos Dauid et Johannem antequam ad annos nubiles peruenerint finietur seu consummetur aut dictus Dauid antiquam ad annos nubiles peruenerit moriatur tunc dicta obligacio centum milium librarum sterlingorum irrita sit et inanis ac nullius momenti ac pro nulla penitus habeatur et pars huiusmodi indenture penes dictos procuratores et nuncios remanens dicto domino regi Scocie heredibus vel successoribus suis infra spacium sex mensium restituatur et litere dicti domini regis Anglie predicti quarum tenor superius recitatur cum omnibus contentis in eisdem in suo robore perpetuo perseuerent Item procuratores et nuncii predicti vice et nomine eiusdem domini regis Anglie promiserunt et manuceperunt bona fide quod idem dominus rex Anglie per literas suas patentes magni sigilli sui munimine roboratas presentem conventionem et omnia et singula contenta in eadem de verbo ad verbum in eisdem suis literis recitando pro se heredibus et successoribus suis ratificabit et confirmabit ipsasque

A°. 1328. literas suas confirmatorias vsque Berwicum super Tvedam mitti et Maiori eiusdem ville liberari fecit citra festum ascensionis domini proximo futurum per ipsum Maiorem dicto domino regi Scotie vlterius liberandas In cujus rei testimonium parti huius scripti indentati penes dictos procuratores et nuncios remanenti dictus dominus rex Scotie sigillum suum apponi fecit et predicti nuncii et procuratores parte eiusdem scripti penes eundem regem Scotie remanenti sigilla sua apposuerunt Datum et actum apud Edynburgh in Scocia decimo septimo die Martii anno domini ab incarnatione eiusdem millessimo trecentesimo vicesimo septimo supradicto nos autem conventionem predictam et omnia et singula in eisdem literis contenta pro nobis heredibus et successoribus nostris ratificamus et confirmamus in forma supra dicta In cujus rei testimonium has literas nostras fieri fecimus patentes teste me ipso apud Northamptoun quarto die Maii anno regni nostri secundo.

No. V.

Singular Proclamation by Edward III. A. D. 1327*.

REX, &c. dilectis & fidelibus suis Willo de Kyme, Rico de Ros, Petro Briton, & Normanno Darcy, salutem. Quia Robertus de Brus & sui complices & fautores nri & regni nri inimici & proditores, regnum nostrum hostiliter sunt ingressi & castrum de Norham ac alia castra & fortalicia diversa in partibus Northumbr' obsederunt & tenent obsessa, & pela in diversis locis in partibus illis de novo fieri fecerunt & in eis homines ad arma posuerunt ad insidiand' fidelibus nostris in partibus illis & ad eos per posse destruend' & qd idem Robertus omnes terras in dicto com' Northumbr' per cartas suas diversis personibus de complicibus suis dedit & assignavit, & ut p' cto didicim' idem Robertus totum posse de Scotia ad se congregari mandavit & pponit not & populum regni nri destruere & sue tiranidi subjugare &ca.

1mo Edwardi IIItii A. D. 1327. 30mo Septem. Nottingham.

* Rot. Scot. 222.—From this extract of a writ in the Rotuli Scotiae, now printing at London, it appears that the King of Scots, during his invasion of England in September 1327, (See Vol. ii. p. 436,) had assumed the tone of a conqueror, making grants of lands in Northumberland to his followers, building and garrisoning *peels* or fortalices in various parts, and threatening to subjugate the realm of England.

INDEX.

A

Abercrombie, greatly misrepresented one of the articles in the Treaty of Northampton, ii. 458.

Aberdeen, citizens of, take the castle at that place from the English, i. 339—rewarded by king Robert for their patriotism, i. 340.

Adam, eldest son of the second Robert Bruce, progenitor of the Bruces of Skelton in England, i. xxix—descent of his family, i. xxxii.

Adherents of king Robert, at the commencement of his glorious career, a list of, i. 196—list of such as surrendered to the mercy of Edward after the battle of Methven, i. 260—another list of, i. 163.

Affray at York between the English archers and foreign mercenaries, ii. 375—a writ of enquiry into its origin, ii. 377.

Agatha, daughter of the second Robert Bruce, her marriage and portion, i. xxix.

Agnes, wife of the second Robert Bruce, i. xxix.

Alexander III. killed by a fall from horseback, 16th March, 1286, i. 3—an elegaic sonnet on his death, i. 3.

Alexander Bruce, Earl of Carrick, killed in the battle of Halidon Hill, ii. 180.

Alphonso XI. of Castile and Leon, joined by Douglas in a war against the Moors of Granada, ii. 504.

Almeria in Spain, corruptly called Balmeryne by Barbour, ii. 505.

Alnwick Castle, ineffectually besieged by the Scots in 1327, i. 438.

Ambassadors sent by Robert to the Pope, ii. 250.

Anglo-Irish barons, a short list of in 1316, ii. 40.

Annandale, Lordship of, granted by David I. in 1124, to Robert Bruce, second of that name, i. xxix.

Annandale, granted by Edward to the earl of Hereford, i. 264—appears to have been granted by Robert I. to his nephew Randolph, Earl of Moray, ii. Appendix, No. i.

Angus reduced to obedience by king Robert, i. 341.

Angus of Isla, lord of Cantire, receives and relieves king Robert, i. 234.

Archers, English, affray between them and the foreign mercenaries at York, ii. 375.

Ardrossan, Fergus of, erroneously said to have been slain at Arscol, ii. 35.

Argentine, Sir Giles de, his chivalric conduct, i. 481.

Argyle, Alexander Lord of, an inveterate enemy of king Robert, i. 227—defeats the king at Dalry, i. 228.

Army collected by Robert in 1314 to repel the English invasion, i. 437—its order of battle at Bannockburn, i. 443—its number, i. 445—much enriched by the victory of Bannockburn, i. 494.

Army of England collected for the relief of Stirling castle in 1314, enumeration of, i. 429—its march from Berwick

to Stirling, i. 442—its loss in the battle of Bannockburn, i. 491

Army of Edward III. in 1327, computation of its strength, ii. 359.

Arnold, abbot of Kelso in the 12th century, gives lands to the ancestor of the Douglas family, ii. 512.

Array, commission of, issued by Edward II. some account of, ii. 194.

Arscol in Kildare, battle of, ii. 34.

Arundel, earl of, defeated by Douglas, ii. 105—retreats into England, ii. 110.

Athol, David Earl of, quits the English interest, i 417—a doubtful story respecting, i. 489—returns to the service of England, i. 490—forfeited by the Scots parliament, id. ib.

Athol, earldom of, bestowed by Edward I. on Ralph de Monthermer, but purchased back, i. 265.

Athol John de Strathbolgie, earl of, an early adherent of king Robert i. 199—carried prisoner to England and executed, i. 255.

B

Badenoch, John Cumyn, Lord of, one of the competitors for the crown of Scotland, i. 40.

Baliol, Bernard de, an eminent English baron in 1138, progenitor of the Scots family of that name, i. xxxi—John, Lord of Galloway, his pretensions to the crown of Scotland, i. 25—one of the competitors, i. 41—the crown awarded to him by Edward, i. 44—swears fealty to the king of England, id. ib.—is crowned at Scone, i. 46—insulted by Edward his liege lord, i. 48—negociates an alliance with France, i. 51—renounces his allegiance to Edward, i. 53—implores pardon, and resigns his crown

and kingdom, i. 58—died at Bailleul in France in 1314, i. 511—Edward his son brought into England with a view to intimidate the king of Scots, ii. 331—again brought to England for a similar purpose, ii. 362.

Balmeryne, king of, the title given by Barbour to Osmyn, the commander of the Moors in Granada, ii. 505.

Bannockburn, battle of, preparations for by king Robert, i. 439—account of, i. 466—decisive in favour of the Scots, i. 483—secured the independence of Scotland, i. 489—remaining vestiges of, i. 495—incidents subsequent to, 497.

Barbour John, some notices of his life, i. xi—continually mistakes the name of the earl of Ulster, ii. 8—reasons assigned by him for the renewal of war between Scotland and England, ii. 352.

Baronies in Scotland in ancient times, some account of, ii. 155.

Barton, a Carmelite friar, his poem on the battle of Bannockburn, i. 500.

Beaumont, Lord John de, instrumental to a revolution in England, ii. 348—brings a considerable body of mercenaries to the assistance of Edward III. against the Scots, ii. 360—computation of that force, ii. 361—expence of his assistance, id. ib.—is amply rewarded, ii. 431.

Beer, not mentioned by Froissart as used by the English in the 14th century, ii. 379.

Berengarius, Cardinal, said to have given a commission to absolve king Robert from the sacrilegious slaughter of Cumyn, i. 313—perhaps a pious fraud of the abbot of Paisley, id. ib.

Birmingham, John de, defeats Edward Bruce at Fagher, ii. 170—carries the head of Bruce to Edward II. ii. 178—

rewarded for his services, id. ib.

Berwick, taken from the English by surprize, ii. 139—its fortifications preserved by the king of Scots, ii. 147—besieged by the king of England, ii. 201—principal English leaders in the siege, ii. 204—gallant defence of by the Stewart of Scotland, ii. 207—a second general assault repelled, ii. 216—siege abandoned by the English, ii. 226. —its walls ordered to be raised in height by the king of Scots, ii. 230.

Binny, a peasant, his ingenious and successful stratagem for capturing the peel of Linlithgow, i. 384.

Birgham, treaty of in 1290, its provisions, i. 16.

Birth of David II. at Dumfermline, ii. 330.

Black Parliament, the reason of that strange title, ii. 247.

Blind Harry, some account of his metrical history of Wallace, i. 113—his work fabulous and unworthy of credit, i. 114—his chronology confused and contradictory, i. 121.

Boece, a ridiculous story by him of a quarrel between king Robert and his nobles, borrowed from an incident in the History of England, ii. 245—his fabulous account of the martial deeds of Sir James Douglas, ii. 511.

Bohun, Sir Henry, slain by the hand of king Robert, i. 455.

Bonkle, Alexander Stewart Lord of, taken prisoner by Douglas, i. 351—joins the patriotic party, i. 352.

Border clans, some account of, i. 504.

Brechin, Sir David de, nephew to king Robert, submits to his authority, i. 342—capitally punished for concealing a conspiracy against the king his uncle, ii. 241.

Brian Fitzallan, appointed governor of Scotland by Edward I. i. 73.

Bruce family, its origin and descent, i. xxv—name of, variously written, i. xxvi—family of Skelton in England, its descent, i. xxxiv—much confused by genealogists, i. xlvii.—on the side of England in the war with John Baliol, i. 57.

Bruce, Adam of Skelton, his descendents, i. xxxiii—Alexander, earl of Carrick, slain at Halidon-hill, ii. 180—Edward, next brother to king Robert, made earl of Carrick, i. 210—invader of Galloway, i. 344—repeatedly defeats the English and their adherents, i. 345—reduces that country to obedience, id. ib.—a notable exploit of, i. 346—expels the English from Galloway, i. 348—takes and demolishes the castle of Ruglen, i. 422—besieges Stirling castle, i. 423—his gallantry in the battle of Bannockburn, i. 472—singular trait of, i. 489—takes Bothwell castle, i. 501—invades England, i. 503—invades Ireland, ii.—his heroism and contempt of danger, ii. 5—defeats a body of Irish at Innermailane, ii. 11—ravages Ulster, ii. 12—defeats the Ruglo Irish army at Dundalk, ii. 17—defeats a new army in the forest of Kilrose, ii. 20—endangered by treachery at Endrossy, ii. 21—relieved by a Scots freebooter, ii. 33—defeats the earl of Ulster near Conyers, i. 30—ravages Meath and Kildare, ii. 34—defeats Lord Edmond Butler at Arscol, ii. 34—defeats Lord Mortimer at Kenlis. ii. 39—assumes supreme power in Ulster, ii. 62—blockades Carrickfergus castle, ii. 63—crowned as king of Ireland, ii. 14—his unguarded conduct on a march, ii. 86—numbers of the Irish chieftains do homage to him, ii. 99—defeated and slain at Fagher, ii. 170—left no legitimate issue, ii. 179—left two natural sons, Robert and Alexander, successive earls of Carrick, ii. 180—Nigel, brother of king Robert, made prisoner and beheaded, i. 254—Peter, of Skelton, four

successively of that name, i. xxxlii—Robert, lord of Annandale, grandfather to king Robert, had pretensions to the crown at the accession of Alexander III. i. 23—takes arms on the death of Margaret, i. 27—eighty years old when he entered into competition for the crown, id. ib.—nature of his claim, i. 41—resigns Annandale to his son, and retires from public affairs, i. 59—dies at an advanced age, id. ib.—*Robert*, earl of Carrick, father of king Robert, resigns that earldom to his son, i. 49—died in 1304, i. 104—ROBERT, grandson of the competitor, and afterwards king, his first appearance in history, i. 57—submits to the English usurpation, i. 62—joins Wallace and the Scots patriots, i. 70—again submits to Edward I. 71—again revolts, i. 81—is consulted by Edward in the settlement of Scots affairs, i. 105—state of his pretensions to the Scots throne, i. 135—his association with the bishop of St Andrews, i. 143—endeavours to rouse the Scots to arms, i. 159—is opposed by Cumyn, i. 162—stabs Cumyn in a sanctuary, i. 163—revolts from the English government, i.—188—his early adherents, i. 196—is crowned at Scone, i. 203. *For the remaining incidents in his life and reign, see* ROBERT—*Robert*, natural son of Edward Bruce, made earl of Carrick by the King of Scots, ii. 179—slain at the battle of Duplin, ii. 180—*Robert*, natural son of the king, slain at Duplin, i. 485—*Thomas* and *Alexander*, brothers of the king, routed and made prisoners at Lochrian in Galloway, i. 282—executed at Carlisle, i. 283.

Brus, Robert de, ancestor of the Bruce family in Britain, came to England in 1066 with William the Conqueror, i. xxvii—got large grants of land from that prince, id. ib.

Buchan, earl of, defeated by king Robert, i. 332—barrasses the patriots during the kings illness, i. 333—totally de-

feated by the king at Meldrum, i. 336—earldom of, laid waste by the king, id. ib.

Bull by pope John xxii, to king Robert, dated six days after the kings demise, ii. 472.

Butler, Lord Edmond, Justiciary of Ireland, ii. 13—defeated at Arscol, ii. 34.

Butler of Scotland, hereditary in the family of Soulis, ii. 491—forfeited by that family, id. ib.—granted under a new denomination to Sir Andrew Moray, id. ib.

C

Cailand, Edmond de, defeated and slain by Sir James Douglas, ii. 110.

Cannon, unknown to the Scots in 1318, ii. 160—called anciently *Gynys for Crakys*, id. ib.—first seen by the Scots in 1327, ii. 409.

Cantire, king Robert returns to from Rachrin, i. 231.

Cardinals, their fruitless negociations with king Robert, ii. 124—are robbed by banditti, ii. 130.

Cardros in Dunbartonshire, where king Robert died, some notices of, ii. 481.

Carrick, the maternal earldom of king Robert, bestowed by Edward I. on Henry de Percy, i. 264.

Carrickfergus castle, ineffectually besieged by Edward Bruce, ii. 10. and 33—reinforced and supplied with provisions by the English, ii. 33—the garrison agrees to surrender, ii. 73—reported treacherous conduct of, ii. 74—surrender at discretion, id. ib.

Cathcart, Sir Alan de, mentioned with approbation by Barbour, i. 347.

Chamberlain rolls of the reign of Robert, some remains, ii. 496.

Chamberlain of Scotland in the reign of Robert, ii. 490

Chancellors of Scotland in the same reign, ii. 489.

Christina of the isles, sends aid to king Robert, i. 275.

Civil war in England, favourable to the Scots cause, i. 405.

Clifford, Sir Robert, detached from the English army to relieve Stirling castle, i. 449—defeated by Randulph earl Moray, i. 454.

Commissions from Scotland to treat of peace, list of, ii. 304.

Competitors for the crown of Scotland, list of, and the grounds of their respective claims, i. 39—reduced to the descendents of the earl of Huntington, i. 41.

Conspiracy against the king of Scots defeated, ii. 240—revealed by the Countess of Strathern, id. ib.

Constable of Scotland, the office conferred on Gilbert de Hay in 1314, ii. 490—still held by the earl of Errol his descendent, id. ib.

Conyers in Ireland, taken and plundered by Edward Bruce, ii. 30.

Corbeil, treaty of, between France and Scotland, ii. 343—mistaken account of by former historians, ii. 344—real nature of, id. ib.—transcript of Appendix No. 1. ii.

Crab, John, a Flemish engineer employed in defending Berwick, ii. 159—rewarded by the king of Scots, ii. 160.

Cran, a military engine resembling the catapult of the ancients, ii. 159—employed by the Scots in defending Berwick, ii. 214—its construction and use, id. ib.—more than one seems to have been employed, id. ib.—use in destroying an engine called a sow, ii. 217—likewise against a sea attack, ii. 218.

Crawford, Sir Rannald, made prisoner at Lochrian, and executed at Carlisle, i. 283—perhaps a near relation of Wallace, i. 284.

Cressingham, Hugh de, Treasurer of Scotland for the king of

England, i. 63—alienates the Scots by his rapacity, id. ib.—defeated and slain in battle against Wallace, i. 74.
Croix neyts and Black Rode, two crosses much esteemed for their sanctity, i. 262.
Crown of Scotland, competition for, i. 21.
Cumberland invaded by the king of Scots, i. 418.
Cumyn, John, earl of Buchan, unsuccessfully invades England, i. 53—is defeated at Dunbar, i. 55—receives a grant of Annandale, i. 57.
Cumyn, John, younger of Badenoch, chief of the Scots regency, i. 97—his pretensions to the throne of Scotland, id. ib.—opposes Bruce in his endeavours to rouse the Scots to arms, i. 162—slain by Bruce, i. 163—some account of the family, i. 164—enters into an agreement with Bruce for the liberation of Scotland, i. 166—said to have betrayed this agreement to the king of England, i. 168—reflexions on this story by Lord Hailes, i. 172—dissertation on the story of his death, by Lord Hailes, i. 181—Forduns account of that transaction, i. 182—Barbours account of it, i. 184.
Cruachan-bean, battle of, gained by king Robert over the men of Lorn, i. 154.

D

David, earl of Huntington, his descendents, i. 41.
David, son and heir of king Robert, his birth, ii. 330.
Despensers, Hugh le, the favourite of Edward II. embroils him with the English nobles, ii. 257.
Douglas family, its origin and early descent, ii. 512—how continued after the good Sir James, ii. 514.
Douglas, Archibald, defeats a detachment of the English at Darlington, ii. 400.

Douglas, Sir James, his early attachment to the party of king Robert, i. 202—leaves Rachrin before the king, and makes an unsuccessful attempt on Brathwick castle in Arran, i. 273—goes to collect succours in Douglasdale, i. 285—takes and destroys his own castle, i. 292—cuts off a party of English by stratagem, i. 294—rejoins the king with reinforcements, i. 295—reduces the forests of Ettrick and Jedburgh, i. 331—takes Douglas castle a second time by a stratagem, i. 349—takes Lord Boukle and Thomas Randulph, i. 351—Rejoins the king in the north, id. ib. —commits great spoil in England, i. 404—takes Roxburgh castle, i. 406—pursues the king of England from Bannockburn to Tranent, i. 485—invades England, i. 503—receives charge of the Scots borders during the kings absence in Ireland, ii. 80—defeats the earl of Arundel in Jedburgh forest, ii. 105—defeats and slays Edmond de Cailand, ii. 110—defeats and slays Sir Robert Neville, ii. 112—enters England with an army, ii. 260—an exploit by him at Melrose, ii. 277—assails and carries a pass at Biland, ii. 283—his character by Froissart, ii. 363—decoys a party of English into an ambush, ii. 408—beats up the English camp, ii. 419—prepares to carry the heart of king Robert to the holy sepulchre, ii. 501—receives a passport from the king of England, id. ib.—embarks at Berwick, ii. 502—goes to Sluys, id. ib.—his voyage from Sluys to Seville, ii. 503—lands in Spain, ii. 504—his conduct in battle against the Moors, ii. 506—is slain in battle, ii. 507—interred in the church of Douglas, ib. id. —long known in Scotland by the appellation of *the good Sir James*, ii. 503—his character by Barbour, id. ib.—left no legitimate issue, ii. 514—left a natural son William, id. ib.—who had the lands of Polbothy from king Robert,

id. ib.—was slain while hunting, and left no son, ii. 515.

Douglas larder, what so called, i. 293.

Dowry lands settled on the princess Johanna, previous to her marriage with prince David, ii. 467.

Dublin, citizens of, their public spirit, ii. 88—commit the earl of Ulster and others to prison, on suspicion of favouring the Scots, ii. 89.

Dun, Thomas, his signal service to Edward Bruce, ii. 23.

Dunaverty castle in Carlisle, king Robert relieved there when in great distress, i. 234.

Dunbar, battles of, fatal to Scotland at two long distant periods, i. 56.

Dunbarton castle, acquisition of by king Robert, said to have been attended by some singular circumstances, i. 391.

Duncan, the first king of Scots who succeeded through female descent, i. 5.

Dundalk, taken and plundered by Edward Bruce, ii. 18.

Duns Scotus, John, some account of, i. 108.

Dunstafnage castle taken by king Robert, i. 355.

Durham, bishopric of, laid waste by the Scots, i. 388—reflections on this event, i. 389.

Dryburgh abbey burnt by the English, ii. 276.

E

Edinburgh Castle, taken by Randolph, i. 413—demolished by order of king Robert, i. 415.

Edward Bruce, see Bruce.

Edward I. of England, interferes in Scots politics on the death of Alexander III. king of Scotland, i. 9—his insidious conduct, i. 18—becomes umpire in the disputed succession, i. 31—usurps feudal supremacy over Scotland, i. 33—reduces Scotland under his own direct do-

minion, i, 61—invades Scotland, i. 83—though successful in the battle of Falkirk, has to abandon Scotland, i. 89—again invades Scotland, but without ultimate success, i. 98—sends an army against Scotland, which is defeated, i. 100—again invades and subdues Scotland, i. 102—settles Scotland as a conquered country, i. 105—takes measures of revenge against Bruce for his revolt, i. 212—vows to end his days in Palestine, after taking vengeance on Bruce, i. 215—diary of his motions from 2d July 1306, to 7th July 1307, i. 218—remorseless conduct to the Scots patriots i. 258—assembles the whole military force of England to overwhelm the Scots, i. 313—his death, i. 314—his disease, i. 315—his last will, i. 316—disregarded by his successor, i. 317.

Edward II. his weak, unsteady, and frivolous character, i. 318—entirely devoted to unworthy favourites, i. 320—wastes time in useless pageantry, i. 321—infatuated fondness for Gaveston, ib. id.—progress into Scotland, i. 324—abandons the war, i. 325—circular letter from, enumerating the principal Scotsmen in his interest, i. 342—appoints different guardians of Scotland, i. 343—farther appointment of guardians, i. 357—recals Gaveston from exile, i. 362—invades Scotland, i. 376—retires ingloriously, i. 377—his silly boast to the pope on this occasion, i. 379—long inactive at Berwick, i. 381—prepares to invade Scotland, i. 387—makes ineffectual overtures for truce with Scotland, i. 402—fresh disputes with his nobles, i. 420—immense preparations to relieve Stirling Castle, and to conquer Scotland, i. 428—takes shelter in Dunbar Castle, i. 486—escapes in a fishing boat to England, i. 486—prepares again to invade Scotland, ii. 103—invades Scotland unsuccessfully, ii. 273—obliged to retreat for want of provisions, ii. 276—much displeased

with the pope for giving the Royal title to Robert, ii. 328 —deposed and imprisoned by his own queen and her partizans, ii. 348.

Edward III. raised to the throne of England on the deposition of his father, ii. 348—collects an army to repel an invasion of England by the Scots, ii. 355—journal of his campaign against the Scots, ii. 373—renounces all claims of feudal superiority over Scotland, ii. 443—makes peace on equal terms with the king of Scots, ii. 450—restores the English property of the Scots ecclesiastics, ii. 469—likewise the English estates of Sir James Douglas, id. ib.

Elizabeth, queen of Scots, Marjory princess of Scotland, and other ladies made prisoners by the English at Tain in Ross-shire, i. 239—well used while in captivity, i. 240—her different places of confinement, i. 241—a fabulous story respecting her, i. 243—she, with the princess Marjory and other ladies, exchanged for several English captives taken at Bannockburn, i. 501—her death and character, ii. 440.

Elizabeth, a supposed daughter of king Robert, said to have been married to Walter Oliphant of Gask, ii. 483.

English army, its conduct on the night before the battle of Bannockburn, i. 465—wasted by disease after its retreat from Scotland, ii. 279—under Edward III. in 1327, computation of its numbers, ii. 382—marshalment or order of battle, ii. 385—unskilful management of, ii. 393—its distress in the north of England, ii. 396—unable to discover the Scots army, ii. 399.—breaks up its camp after the retreat of the Scots, ii. 425.

English Commissioners for peace with Scotland, list of, ii. 304.

English Court seriously desires peace with Scotland, ii. 435.

English language, ancient, specimen of, i. 112.

Entertainment, a magnificent one at York, ii. 373—very unseasonably interrupted, ii. 375.

Eric, king of Norway, interposes his good offices in Scots affairs, i. 9—claims the crown of Scotland as heir to his daughter, i. 40.

Esquire or Scutifer, the import of the term in ancient times, i. 492.

Estates of Scotland in 1310 solemnly recognize the right of Robert to the throne, i. 370.

F

Faggots, fire, used in defence of Berwick, their composition, ii. 215—employed to burn the sow, ii. 218.

Famine in Scotland in 1310, i. 380—a very severe one both in Scotland and England in 1315, i. 521—continued till after the harvest 1317, i. 523—in Ireland in 1316, ii. 36—continued in 1317, ii. 98—some strange circumstances respecting, ii. 99.

Faranyeir, the sobriquet of Robert III. explained, ii. 57.

Fatal stone of Scone, still the coronation seat of Britain, ii. 461.

Felim O Connor, chieftain of Connaught, joins Edward Bruce, ii. 14—is defeated and slain by the Anglo-Irish, ii. 15.

Female rule, no example of in Scotland before the demise of Alexander III. i. 5.

Fergus, son of Erc, in 503, first king of the Scots, i. 3.

Fife, invasion of, by the English, ii. 116.

Fife, earls of, had the privilege of crowning or enthroning the kings of Scotland, i. 205.

Flanders, trade of with Scotland, ii. 197—Edward II. ineffectually endeavours to stop this intercourse, i. 198—

under a new administration, agrees to discontinue that trade, i. 294.

Fleet collected by Edward III. for the invasion of Scotland, i. 436.

Fleming, Neil, his heroic conduct and death, ii. 66.

Followers of the Scots army at the battle of Bannockburn, their station, i. 446—their singular appearance during the battle, i. 477—which is decisive of the victory, i. 478.

Forfar Castle taken from the English, i. 341.

France makes a separate peace with England, leaving Scotland to its fate, i. 101.

Franc, William, his stratagem for taking the castle of Edinburgh, i. 413—a strange prophecy concerning i. 416—rewarded for his service, i. 417.

Frazer, Bishop of St. Andrews, one of the Scots regents, a partizan of Baliol, i. 26—devoted to the king of England, i. 27.

Frazer, Simon, the only person in Scotland except Wallace, who refused submission to the king of England, i. 103.

Frazer, Simon, of Olivar Castle, executed at London for joining in the revolt of Bruce, i. 257.

Frederick II. emperor of Germany, a patron of literature, i. 107.

Froissart, the views which he attributes to king Robert for renewing the war with England, ii. 353—alledges that the king of Scots sent a defiance to Edward III. on this occasion by a herald, ii. 356—supposes Robert to have been then very old, ii. 357.

G

Galloway invaded and wasted by king Robert, i. 327.

Gallythly, Patrick, a competitor for the crown of Scotland, i. 40.

Gaveston, sent with an army to acquire renown in Scotland, i. 381—is taken prisoner and put to death by the English malcontents, i. 406.
Glasgow, Parliament held there, ii. 337—curious law enacted by, ii. 338.
Gloucester, earl of, a curious circumstance occasioned by his death, i. 498.
Gray, Thomas, two notable exploits by, i. 360 and 361.
Gysburn in Cleveland, the burial place of the Bruce family, i. xxvii—its abbey founded in 1128, by the second Robert Bruce, i. xxix.

H

Hackney, an ancient French term for an ordinary riding horse, ii. 365.
Harper, Gilbert, his gallantry at Carrickfergus, ii. 68—clad in the armour of Edward Bruce at Faghier, ii. 175—is there slain, id. ib.—his head said to have been carried to Edward II. instead of that of Edward Bruce, id. ib.
Hastings, John de, claims a third part of Scotland, i. 41.
Hartcla, Sir Andrew, defeated in Galloway by Sir John Soulis, ii. 114—defeats the Lancastrian party, ii. 265—made earl of Carlisle, ii. 266—enters into correspondence with the Scots, ii. 289—tried, degraded, condemned, and executed, ii. 291—pretended agreement between him and king Robert, ii. 292.
Hebrides reduced to obedience by the king of Scots, ii. 42.
Holland, Florence earl of, a competitor for the crown of Scotland, i. 39.
Holyrood, abbey of, burnt in 1322 by the English, ii. 276.
Husce, carnifex of Aury, his fidelity and gallantry ii. 38.

I

Inchegall, an ancient name for the Hebrides or Western Islands of Scotland, 387.

Innermallane, a strong pass in Ulster, action at, ii. 11.

Invasion of Cumberland, i. 508.

Invasion of England in January 1315, i. 511—in April 1318, ii. 160—repeated in May of the same year, ii. 161, in 1322, ii. 269—repeated in the same year, ii. 271—repeated for the third time that year, ii. 271—in 1323, ii. 281—in September 1327, ii. 436.

Invasion of Ireland by Edward Bruce, ii. 1—perhaps sanctioned by the Scots Parliament, ii. 6—Scots leaders in, ii. 7—its chronology uncertain, ii. 15—its history obscure, ii. 17.

Inverary erected into a royal burgh by king Robert, i. 339.

Irish chieftains, list of, in 1314. ii. 40.

Irish chiefs of Ulster offer to assume Edward Bruce as their sovereign, ii. 3—pledge their fealty to him, ii. 9—those of Connaught and Meath revolt from the English, ii. 32—their salutary and unavailing advice before the battle of Faghier, ii. 172—their usual mode of warfare, ii. 173—they assist in saving the remains of the defeated Scots, ii. 174.

Isaac, Thomas, married a daughter of king Robert, ii. 482.

Isle of Man reduced by the king of Scots, i. 419.

Isabella, the first wife of king Robert, daughter of Donald, tenth earl of Marr, ii. 481.

Isabella, countess of Buchan, crowned Bruce at Scone, i. 205—falsely accused of criminal intercourse with the king of Scots, i. 207—her severe durance, i. 243—confined in a cage, i. 244—place of confinement changed after seven years, i. 247, and 418.

J

Johanna of England married to David prince of Scotland, ii. 468—called Johanna make-peace by the Scots, ii. 469.

John king of Scots, crowned 30th November, 1292 at Scone, i. 46—does homage to Edward I. for Scotland, i. 47—summoned personally before the English court, i. 48—ordered by Edward to lay an embargo on Scotland, and to furnish military aid for an expedition to Gascony, i. 50—dismisses all Englishmen from Scotland, i. 51—negociates an alliance with France, i. 52—renounces his allegiance to England, i. 53—resigns his crown, i. 58—dies in obscurity in France, i. 95—unfortunate fate of his two sons, id. ib.—long affected to be held as king by the Scots, i. 96.

John of Lorn, said to have married a granddaughter of king Robert, ii. 483.

Juletta, wife of Adam Bruce of Skelton, i. xxxii.

Juries, their rights to pronounce on the law and the fact conjunctly, ii. 193.

Justiciary, some account of that high office, ii. 490.

K

Keith, Sir Robert, disperses the English archers at the battle of Bannockbnrn, i. 473—confirmed by king Robert in the hereditary office of Marshal, ii. 490.

Kenlis, battle of, ii. 37.

Kildrummy Castle, Roberts queen and other ladies sent there for security, i. 231—is besieged by the English, i. 253—is set on fire and surrenders, i. 253—some account of its present remains, i. 268.

King of Scots conducts a reinforcement into Ireland, ii. 80—penetrates into Leinster, ii. 82—defeats the English army, ii. 86—advances to Dublin, which he is unable to take,

ii. 87—marches unopposed to Limerick in the south of Ireland, ii. 90—evades the English army and retreats to Ulster, ii. 97—trait of his humanity, id. ib.—returns to Scotland, ii. 100—his reception by his subjects, ii. 120.

L

Lamberton, William de, bishop of St. Andrews, associates with Robert the Bruce, i. 143—his conduct at the revolt of Bruce, i. 247—committed prisoner to the castle of Nottingham, i. 251—reconciles himself to the king of England, i. 358—yet secretly confers with the king of Scots, i. 359—a commissioner from Edward to treat of peace with Scotland, i. 369—consecrates a new cathedral at St. Andrews, ii. 156—his death, id. ib.—is succeeded by James Ben, id. ib.

Lancaster, earl of, his reasons for abandoning the siege of Berwick, ii. 227—alledged to have been bribed by the king of Scots, ii. 228—executed for rebellion, ii. 266—worshipped as a saint and martyr, id. ib.—canonized by the pope, id. ib.

Lancastrian party frustrates an intended invasion of Scotland, ii. 104—suspected of secret intelligence with the Scots, ii. 119—negociates with the Scots, ii. 258—proposed terms of treaty, ii. 261—their concert frustrated by want of mutual confidence, ii. 264—defeated by Hartcla, ii. 255—many of them executed for treason, ii. 267.

Language of Scotland in the thirteenth century, specimens of, i, 110—contrasted with ancient English, i. 112.

Landon in England, conjectures respecting its situation, i. 211.

Learning and learned men in Scotland during the reign of Alexander III. i. 106—no record of, during the time of Robert, ii. 498.

Leasing making, law against, an engine of much tyranny and oppression, ii. 193.

Lenox, earl of, relieves king Robert when in great distress, i. 233.

Leprosy, termed la grosse maladie by way of eminence, ii. 357.

Linlithgow, its peel or castle taken from the English, i. 384 —dismantled by order of the king of Scots, i, 386.

Lintalee, an English party surprized and destroyed there by Douglas, ii. 109.

Literature of Scotland in the thirteenth century, i. 107.

Loch Lomond, difficulty encountered by king Robert in crossing, i. 233.

Logie, Sir John, one of the conspirators with Soulis, ii. 243 —supposed to have forfeited at an earlier period, id. ib.

Long truce agreed upon in 1323 between Scotland and England, ii. 305—its conditions, ii. 309.

Lords of Parliament in Scotland, variously designated, ii. 155.

Lorn, Alexander of, driven from his territories, i. 356—retires into England where he dies, id. ib.

Lorn, John of, his stratagem to take king Robert, by means of a blood hound, i. 296—fails in his intention, i. 298—his territories invaded by the king of Scots, i. 353—endeavours to defend them at the pass of Cruachan bean, id. ib.—his troops defeated, i. 354—his lands laid waste. 355—appointed to command a fleet against Scotland, i. 387—taken prisoner in the Hebrides, ii. 48—dies in confinement, id. ib.

Lowdun hill, battle of, 10th May, 1307, i. 309.

M

Macbeth, usurped the Scots throne in 1039, i. 5.

Macdowal, Duncan, defeats the brothers of the king of Scots, i. 282—makes an unsuccessful attempt on the king, i. 288.

Makendorsers, their singular encounter with king Robert, i. 228.

Maknakill, performs essential service under Edward Bruce, ii. 69.

Malcolm III. sirnamed Canmore, ascended the Scots throne in 1057, i. 3.

Man, Isle of, threatened by king Robert in 1319, i. 382—granted to Gaveston, i. 383.

Mandeville, Lord Thomas, reinforces Carrickfergus Castle, ii. 63—attacks the Scots besiegers, ii. 66—is defeated, and slain, id. ib.

Manifesto in 1310 in favour of king Robert by the Scots clergy, i. 371—another by the parliament in 1320 to the pope, ii. 237.

March, Patrick earl of, a competitor for the throne of Scotland, i. 40.

Margaret of Norway recognized as successor to Alexander III. i. 6—resided at her accession with her father Eric, king of Norway, id. ib.—her projected marriage with the heir apparent of England, i. 13—her death, i. 19.

Margaret, a daughter of king Robert, married William earl of Sutherland, i. 482.

Marjory, eldest daughter of king Robert, and his sister Christina, consigned to the custody of Henry Percy, i. 242—is given in marriage to Walter, the high Stewart of Scotland, i. 520—is delivered of a son and dies soon after, ii. 49—strange traditionary tale of her death, ii. 50.

Marmion, Sir William, a story respecting him, ii. 164.

Marriage of Prince David and the princess Johanna, engagement for by king Robert, Ap. No. IV.

Mary, a sister of king Robert, confined in a cage at Roxburgh Castle, i. 242—exchanged for William Cumyn, i. 372.

Matilda, a daughter of king Robert, appears to have made a low marriage, ii. 482—one of her daughters said to have married John of Lorn, ii. 483.

Maussas, John said to have slain Edward Bruce, and to have been found dead on his body, ii. 175.

Maximum of prices attempted during a famine in England, i. 524—aggravates the distress and is repealed, id. ib.

Melrose abbey destroyed by the English, ii. 276.

Menteith, Sir John de, falsely accused as the betrayer of Wallace, i. 105—a strange story respecting his surrender of Dunbarton Castle, i. 391.

Methven, defeat of king Robert at that place by the earl of Pembroke, i. 221.

Minorite friar, a curious relation of his interview with the king of Scots, ii. 133.

Mitton, chapter of, a battle in which many English ecclesiastics were slain, ii. 225.

Monthermer, Ralph de, defeated by the king of Scots, i. 310.

Montpellier, early celebrity of, for medical skill and pure air, ii. 32.

Moray, Sir Andrew of Bothwell, an early associate of Wallace, i. 70—is slain in the battle of Stirling bridge, i. 75—his son associated by Wallace in the command of the army, id. ib.— is made hereditary master of the household by king Robert, ii. 491.

Moray, Thomas Randolph, earl of, conducts the van of the army under Edward Bruce in Ireland, ii. 10—seizes a

large convoy of provisions, ii. 25—beats up the earl of Ulsters camp, ii. 26—goes to Scotland for reinforcements, ii. 32.—returns with these to Ireland, ii. 34—sent again to Scotland, ii. 39—sent again for assistance, ii. 80—returns to Scotland with the king, ii. 100—administers the government of Scotland during an illness of the king, ii. 259—serves as a volunteer under Douglas, ii. 283—employed in negociations for peace, ii. 302—his negociation with the pope, ii. 323—his prudence and success, ii. 327—negociates a treaty with France, ii. 342—his character by Froissart, ii. 363—his perfect accord with Douglas in all military operations, ii. 369—estimate of their several characters as leaders in war, id. ib.

Mortimer of Wigmore, Lord Roger, defeated at Kenlis by Edward Bruce, ii. 37—appointed Lord Lieutenant of Ireland, ii. 79—forbids the English leaders to hazard an engagement with the Scots, ii. 95.

Mowbray, Sir Philip, governor of Stirling Castle, for the English, i. 423—agrees to surrender if not relieved within a year, id. ib.—allowed to go to England, i. 424—enters into the service of Scotland, i. 499—an ingenious and successful stratagem devised by him, ii. 29—is slain at the battle of Faghier, ii. 175.

Muschettae, large darts projected from Spryngalds, ii. 159.

N

Negociations of the king of Scots at the papal court, ii. 195—thwarted by the English Ambassadors, id. ib.—gives offence to the king of England, ii. 196—renewed with the Papal and French Courts, ii. 320.

Negociations for peace or truce between Scotland and England, ii. 232—produce a truce for two years, ii. 234—its conditions, id. ib.—renewed in 1327, ii. 438.

Neville, Sir Robert, defeated and slain by Douglas, ii. 112 —Sir Ralph taken prisoner, ii. 113.

Newcastle, rendezvous appointed at by Edward III. ii. 358.

Norham Castle ineffectually besieged by the Scots, ii. 163—again besieged unsuccessfully, ii. 281—besieged a third time, ii. 436.

Norham, Herbert de, executed at London for adherence to king Robert, i. 257.

Northampton, peace of, ii. 449—ratification of, Ap. III. ii.

Northern English barons negociate for a separate truce with Scotland, ii. 288.

O

Officers of the Crown in the reign of king Robert, ii. 489.

Oliphant, Sir William, his brave defence of Stirling Castle, i. 104.

Oliphant, William, governor of Perth for the English, i. 393.

Oliphant, Walter, of Gask, said to have married a daughter of king Robert, ii. 483.

O Nial of Tirowen, a principal Irish adherent and adviser of Edward Bruce, ii. 9.

Ordainers, lords so called in England, control the administration of government, i. 373.

Ormesby, William, Justiciary of Scotland for the English, i. 63—renders the English government odious by his severities, id. ib.

Osmyn, the moorish commander of Granada, his stratagem to circumvent the Christian army, ii. 505—is defeated. ii. 506.

P

Paisley, monastery of, burnt by the English, i. 312.

Panetarius, or Master of the Household, one of the officers of the crown in Scotland, ii. 491.

Papal court pensioned by Edward II. ii. 167.

Papal truce of two years proclaimed between Scotland and England, ii. 122.

Parliament at Cambuskenneth in 1326. ii. 344—representatives of the people first appear in this parliament, ii. 345—grants a revenue for life to the king of Scots, id. ib.—no clerical members appear to have sat in this parliament, ii. 346.

Parliaments held by king Robert during his reign, ii. 491—their constitution, ii. 493—numbers and description of the members, ii. 494.

Pay of soldiers in 1311, record of, i. 394.

Peace offered to Scotland on inadmissible conditions, ii. 199.—negociations for in 1325, ii. 333—supposed demands of the Scots on this occasion, id. ib.—observations on these, ii. 334—alleged replies of the English to these demands, ii. 335—fresh negociations for, ii. 438—preliminaries agreed upon, ii. 442—agreed upon at Edinburgh 17th March 1328, and ratified that day by king Robert, ii. 449—ratified on the 4th May following by Edward III. at Northampton, id. ib.—record of this peace long missing, ii. 449— is now in the Register Office at Edinburgh, ii. 450—its conditions, id. ib.—its articles sagaciously conjectured by Lord Hailes, ii. 454—ought to have been called the treaty of Edinburgh, ii. 461—observations on the supposed articles of Lord Hailes, id. ib.—thought ignominious by the old English historians, ii. 464—ratified at Edinburgh by the Scots parliament, ii. 493.

Pembroke, earl of, guardian of Scotland for Edward I. i. 216— deceives and defeats king Robert, i. 220—marches

into Carrick against king Robert, i. 296—foiled, and retires to Carlisle, i. 302—endeavours to surprise the king of Scots, but is surprised and repulsed, i. 303—challenges the king to battle, i. 305—is defeated at Lowden hill, i. 309.

Perth, unsuccessfully attempted by king Robert, i. 218—again threatened by the king, i. 373—ineffectually besieged, i. 397—taken by surprise, i. 399—dismantled, i. 401.

Philip, king of France, endeavours to reconcile the kings of England and Scotland, i. 359—gives the title of king to Robert, i. 370.

Pinkeny, Robert de, claims the crown of Scotland, i. 39.

Pope the, advances pretensions to the lord paramount of Scotland, i. 99—commands the Scots to submit to the king of England, i. 100—staggered by the bold manifesto of the Scotch parliament, ii. 249—his letters to king Robert in 1321, intercepted by Edward II. ii. 255—endeavours to reconcile Edward to the grant of the royal title to Robert, ii. 328.

Prices of various articles of provisions during the reign of Robert, ii. 496.

Privy-seal of Edward II. and its keeper captured at the battle of Bannockburn, i. 493.

Proclamation, a singular one by Edward III. Ap. No. v.

Provincial councils during the reign of Robert, ii. 494.

Provisions, prices of in England in 1315, compared with modern times, i. 524—prices of in Scotland in the end of the thirteenth century, i. 525—likewise towards the close of the reign of Robert, ii. 496.

Q

Queen-blearies cross, strange traditionary tale respecting, ii. 53.

Quotas of armed men demanded from different cities in England for the Scots war, ii. 169.

R

Rachrin, isle of, Robert seeks shelter there in great distress, i. 235.

Randolph, Thomas of Strathdon, nephew to the king of Scots, made prisoner at Methven, i. 221—received to mercy by Edward, to whom he swears fealty, i. 260—made prisoner by Douglas, i. 351—ordered into confinement by the king his uncle, i. 352—is reconciled to Robert, and heartily embraces his cause, id. ib.—created earl of Moray, i. 410—his character, id. ib.—his action with an English detachment the day previous to the battle of Bannockburn, i. 449—the date of his grant of the earldom of Moray not ascertained, i 519—invades England in conjunction with Douglas, ii. 221—ineffectually attempts to carry off the queen of England, ii. 222—lays waste Yorkshire far and wide, id. ib.—destroys Boroughbridge, Wetherby, and Mitton, ii. 223—defeats an English army near Mitton, i. 224.—For the remainder of his actions, see *Moray*, earl of.

Regency of Scotland in name of John Baliol, i. 96.

Regents of Scotland in the minority of Margaret, i. 7—dissentions among, id. ib.—surrender the kingdom to Edward I. i. 37.

Renunciation of feudal supremacy over Scotland, original record of, ii. 444—another original copy of, ii. 446.

Revenue of Scotland in the reign of Robert, ii. 494.

Revolution in England in 1327, brought about by queen Isabella and Mortimer, ii. 347.

Richemont, Thomas de, slain by Douglas, ii. 108.

Richmond, earl of, taken prisoner in battle near Biland, ii. 285—remains long a prisoner, id. ib.—made to pay an enormous ransom, id. ib.

Rippon ransomed from plunder for 1000 marks, ii. 162.

Robert, that name singularly frequent in the ancient Bruce family, i. xxv.

Robert the Bruce, afterwards king, forms an association with William de Lamberton bishop of St Andrews, i. 143—great advantages of his union with the head of the Scots church, i. 146—his politic conduct before he claimed the crown, i. 155—exhorts the Scots to throw off the English yoke, i. 159—slays John Cumyn in a sanctuary at Dumfries, i. 164—supposed flight from London to avoid the resentment of the king of England, i. 169—revolts from Edward and asserts his right to the throne of Scotland, i. 188—his slender means for wresting Scotland from Edward, i. 189—list of his early adherents, i. 196—is crowned at Scone, 27 March 1306, i. 203—the ceremony repeated two days afterwards, i. 206.

Robert I. excommunicated by the Pope, i. 213—wisdom of securing the favour of the Scots church, id. ib.—defeated at Methven, i. 221—wanders in the mountains of Atholl, i. 224—excommunicated a new with all his adherents, i. 267—quits Rachin and lands in Arran, i. 274—retires into the fastnesses of Carrick, i. 281—a singular exploit of, i. 289—escapes the pursuit of a blood hound, i. 298—singular encounter with three robbers, i. 299—joined by Edward Bruce and Sir James Douglas with a reinforcement, i. 301—surprises and destroys an English detachment, id. ib.—reduces Kyle, Carrick, and Cunningham to obedience, i. 304—obtains repeated successes and many join his standard, i. 311—evacuates Galloway and retires into the north of Scotland, i. 330—

attacked by a grievous illness, i. 332—protracts the war during an invasion of the English, i. 379—dismantles all the Scots fortresses which fall into his hands, i. 386—invades England, i. 388—again ravages the north of England, i. 403—reduces many fortresses, all of which he dismantles, i. 404—kills Sir Henry Bohun in sight of the armies of Scotland and England, i. 455—his address to his army previous to the battle of Bannockburn, i. 459—his munificence to his triumphant army, i. 495—long laboured under an inveterate disease, supposed the leprosy, ii. 357—restores estates in Scotland belonging to Henry Percy, ii. 470—procures delay from Edward III. as to payment of the first instalment of the sum agreed for by the treaty of Northampton, id. ib.—spent the two last years of his life at Cardros, ii. 472—his occupations there, id. ib.—expences of his ships, ii. 473—appears to have kept a *fool*, id. ib.—likewise a lion, id. ib.—charitable to the poor, ii. 474—afflicted by an inveterate disease, id. ib.—pathetic scene with Sir James Douglas, ii 475—his demise 7 June 1329, ii. 481—buried at Dunfermline, id. ib.—his marriages and issue, id. ib.—had a natural son, Robert, ii. 484—miscellaneous particulars respecting his reign, ii. 489.

Robert II. his birth, ii. 49—nicknamed *blearie*, and wherefore, ii. 52—dissertation on this circumstance by Lord Hailes, ii. 54.

Robert, a natural son of the king, got the lands of Liddisdale, ii. 485—killed in the battle of Duplin, and left no issue, id. ib.

Rokesby, Thomas de, rewarded by Edward III. for discovering the encampment of the Scots on the Wear, ii. 403.

Roslin, English army defeated at, i. 100.

Ross, William de, claims the crown of Scotland, i. 40.
Roxburgh castle taken by Douglas, i. 407—demolished by order of Robert, i. 408.
Royal dignity conceded to Robert by the king and parliament of England, ii. 443.

S

Salisbury, treaty of, between Scotland and England, i. 10.
Salvadores, the designation of some freebooters in England, ii. 131.
Savages, a term occasionally applied by Barbour to the native Irish, ii. 28.
Scaffolds, moveable, used in the siege of Berwick, ii 212.
Scone, fatal stone of, some notices concerning, ii. 461.
Scott, Michael of Balwearie, some account of, i. 107.
—— Sir Michael, one of the commissioners sent to Norway in 1290, i. 19.
Scotichronicon, reasons given by, for the renewal of war, ii. 352.
Scotland entirely reduced under the dominion of Robert, ii. 149—short view of its political divisions, ii. 150.
Scots army gains a complete victory at Biland, ii. 284—returns home loaded with spoil, ii. 287—computation of its numbers in an invasion of England, ii. 363.—commanded by the earl of Moray, id. ib.—enumeration of, by Froissart, ii. 365—its movements during the campaign not recorded, ii. 366—its mode of warfare as described by Froissart, ii. 367—discovered after a long search by the English, ii. 405—its position on the Wear, ii. 406—ineffectually challenged to battle, ii. 407—changes its position to Stanhope Park, ii. 415—retreats into Scotland, ii. 421.

Scots earls in 1318, a list of, ii. 153.
—— monarchy, its origin, i. 4.
Scouts sent to find out the Scots army, ii. 401.
Scrimzeur, Nichol, made standard-bearer of Scotland by Wallace, i. 79.—the office still held by a gentleman of the name, id. ib.
Segrave, Sir John de, defeated by the Scots patriots, i. 101:
Seneschal, or Stewart of Scotland, that title erroneously attributed in the Foedera to the earl of Moray, ii. 263.
Seton, Alexander, said to have deserted from the English the night before the battle of Bannockburn, i. 465.
—— Christopher, brother-in-law to king Robert, taken prisoner by the English and put to death, i. 255.
Settlement of the Scots crown in a parliament at Ayr, i 512—comments upon, i. 514—new act consequent on the death of Edward Bruce, ii. 180—some observations upon, ii. 184.
Sinclair, bishop of Dunkeld, his gallantry, ii. 117—is named the kings bishop, ii. 118.
Skelton in Yorkshire, the principal residence of the Bruce family in England, i. xxvii.
——, Bruce family of, its descent, i. xxxii.
Son and heir born to king Robert, ii. 330.
Soulis, Nicholas de, a competitor for the crown of Scotland, i. 40.
——, Sir John de, defeats the English in Eskdale, ii. 114.
——, William de, convicted of conspiring against the king of Scots, ii. 242.
Spalding, Simon, betrays Berwick to the Scots, ii. 140.
Spryngalds, an engine like the Roman balista, ii. 159.
Sow, a machine employed by the English in the siege of Berwick, ii. 212—its use and application, ii. 216—

broken to pieces, ii. 217—burnt by means of fire faggots, ii. 218.

Stafford, Marchioness of, lineally descended from king Robert, ii. 482.

Standard, battle of, 1138, singular occurrence at, i. xxxi.

Statutes of Robert I. inaccurately edited by Skene, ii. 186—enumeration of some enacted in the parliament at Scone, id. ib.

Stewart, office of, hereditary in the lords of Renfrew, ii. 490—became afterwards an appanage of the heir apparent, id. ib.

Stewart, Sir John, goes to Montpellier for the cure of a dangerous wound, ii. 31.

———, Walter, joins king Robert, i. 366—governs Scotland in the kings absence, ii. 80—appointed governor of Berwick, ii. 147—makes diligent preparation for its defence, ii. 157—his excellent defence of Berwick, ii. 207-221—his death and character, ii. 341.

St John, Sir John de, defeated by Edward Bruce in Galloway, i. 346.

Stirling Castle reduced by the Scots, i. 98—makes a gallant but fruitless defence in 1304 against the English, i. 104—besieged by Edward Bruce, i. 423—immense preparations in England for its relief, i. 428—surrenders the day after the victory of Bannockburn, i. 499.

Strathern, Malise earl of, made prisoner by his son, i. 401.

———, Countess of, reveals a conspiracy against the king of Scots, ii. 240—is imprisoned for life, id. ib.

Sully, Henry de, Butler of France, made prisoner by the Scots, ii. 284—dismissed by Robert without ransom, ii. 286—mediates a truce between the Scots and English, ii. 296—a letter to him from Robert, id. ib.—authorised by Edward to prolong the truce, ii. 302.

Superiority of England over Scotland renounced by authority of the English parliament, ii. 444.

T

Tanistry and the Brehon law in Ireland, ii. 2.

Templars, suppression of that famous order of knighthood, i. 367.

Theft-bute, some observations on, ii. 191.

Theobald Flamaticus, or the Fleming, the ancestor of the Douglas family, his first establishment in Scotland, ii. 512.

Thomas of Ercildon, or the Rymer, some account of him, i. 109.

Thomson, John, assumes the command of the defeated Scots in Ireland, ii. 176—conducts them by Carrickfergus to Scotland, ii. 177.

Truce granted by Edward I. to the Scots in 1302, at the interposition of France, i. 99—in 1309 between Scotland and England, i. 360—abortive attempts towards its renewal, i. 366—a new truce in 1310, i. 369—a short one agreed on, ii. 296—one agreed to in January 1328, ii. 443.

Turnberry castle, an unsuccessful attempt upon by Robert, i. 279—relieved by a powerful detachment of English, i. 281.

U

Ulster pillaged by the Scots, i. 419—Irish of, dissatisfied with the English government, ii. 3—implore the assistance of Robert, id. ib.—offer to assume Edward Bruce as their sovereign, id. ib.

Ulster, earl of, collects an army to oppose Edward Bruce, ii. 13—haughtily refuses the assistance of Lord Edmond

Butler, id. ib.—ravages the possessions of the adherents of Edward Bruce, ii. 14—encamps near Conyers, ii. 27—is defeated by a stratagem, ii. 30—imprisoned by the citizens of Dublin, ii. 89.

Umphraville, Sir Ingelram, suborns three ruffians to slay Robert, i. 286—who kills them all, i. 287—conversation with Edward II. before the battle of Bannockburn, i. 470—dissatisfied at the execution of Sir David de Brechin,—retires to England, ii. 248—advises Edward II. to make peace with Scotland, ii. 301.

Union projected in 1290 between Scotland and England, i. 14.

V

Vesci, William de, a competitor for the crown of Scotland, i. 40.

Vow of a singular kind, taken by Edward I. on *two swans*, i. 215.

W

Wales, rebellion in, ii. 43—prince of, takes a vow for the reduction of Scotland, i. 215—his conduct in the Scots war, i. 216.

Wallace opposes the English tyranny and rouses the Scots to assert their liberty, i. 65—some account of his family, id. ib.—refuses all treaty with England, i. 73—defeats the English at Stirling bridge, i. 74—drives the English out of Scotland, i. 75—invades the north of England, and carries off much spoil, id. ib.—assumes the title of General of the army of Scotland, i. 76—arrogates supreme authority as Guardian of Scotland, i. 78—envied and opposed by the Scots nobles, i. 80—defeated at Falkirk, i. 85—loses the confidence of the Scots, and

resigns the office of guardian, i. 93—refuses submission to England, i. 103—arraigned, convicted, and executed as a traitor, i. 104—account of him by Blind Harry unworthy of credit, i. 113—Latin life of, said to have been composed by John Blair, i. 116—left no legitimate issue, i. 120—his natural daughter said to have married Sir William Baillie of Lemington, id. ib.—believed to have enjoyed the estate of Ellerslie, i. 121—his first exploit, according to Blind Harry, i. 123—very differently related in the Scotichronicon, i. 124—must have been *thirty-six* years old at the first conquest of Scotland, and *forty-five* when he fell into the hands of the English, i. 122—traditionary remembrances of, still remaining in Scotland, i. 125.

Wallace, Richard of Riccard-tun, ancestor of the Wallaces in Scotland, i. 118—Sir Malcom of Ellerslie, said to have been the father of the champion of Scotland, id. ib.

Walter, lord high Stewart of Scotland, marries the daughter of king Robert, i. 520. See *Stewart*.

War likely to be renewed between Scotland and England, ii. 350—various reasons for this attributed to the king of Scots, ii. 351.

Warrant of Edward III. ratifying the peace of Northampton, copy of, Ap. No. ii.

Warrene, John de, earl of Surry, appointed governor of Scotland by Edward I. i. 63.

Webeton, Sir John de, captain of Douglas Castle, singular trait of, i. 350.

Welshmen, escaping almost naked from Bannockburn, many of them slain or made prisoners by the Scots peasants, i. 487.

Western islands of Scotland, particulars of their reduction by Robert, ii. 42-47.

Wheat, enormous price of, in 1316 in Ireland, ii. 36.
Wines used in England in the fourteenth century, ii. 379.
Wisheart, bishop of Glasgow, committed prisoner to Nottingham Castle, i. 252.
Wokings Frith, near Carrickfergus, Edward Bruce lands there, ii. 6.

Y

York, its fortifications strengthened to resist the Scots invasion, ii. 362.

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Alex. Smellie, printer.

Wheat, enormous price of, in 1316 in Ireland, ii. [illegible]
Wines imported into England in the fourteenth century, ii. [illegible]
Wishart, bishop of Glasgow, committed prisoner to Nottingham Castle, i. 252.
Wokings Firth, near Carrickfergus. Edward Bruce lands there, ii. [illegible]

Y.

York, its fortifications strengthened to resist the Scottish invasion, ii. 402.

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